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Society of Friends · Proceedings of Committee  
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PROCEEDINGS  
OF THE  
JOINT COMMITTEE  
APPOINTED BY THE  
SOCIETY OF FRIENDS,  
CONSTITUTING THE YEARLY MEETINGS  
OF  
**GENESSEE, NEW YORK, PHILADELPHIA  
AND BALTIMORE,**  
For promoting the civilization and improving the condition,  
OF THE  
**SENECA NATION OF INDIANS.**

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BALTIMORE:  
WILLIAM WOODY, PRINTER.  
1847.

U.S. 100-6, 30



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## P R E F A C E .

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The society of Friends who compose the Yearly meetings of Genesee, New York, Philadelphia and Baltimore, having for some years past been engaged in efforts to promote the civilization, of some of the Indian tribes, residing in the western parts of the state of New York; and having under the present improved situation, both as regards the intellectual and social condition of the Senecas, who have been under their care, reason to hope, that in a little time, these people will be able to manage their own affairs, without much assistance from us, the Committees appointed by those several Yearly meetings to attend to this service, believe it right, to prepare for the general information of our members, who have taken a deep interest in this concern, a narrative of our proceedings.

This has been deemed the more necessary as, by being made fully acquainted with the former and present circumstances of those Indians, our members will be better able to judge, what it may be proper for the society of Friends hereafter to do for them, should our connexion with them be continued.

In the course of their labors, the joint Committees of the four Yearly meetings here referred to, have encountered many formidable obstacles; and among other difficulties they have had to struggle with a powerful combination, composed of an influential body of men, deeply interested, and resolutely determined to drive these Indians from the homes descended to



them, through many generations, from their forefathers, and who did not hesitate to resort to every means in their power to effect that object. The result that must have followed this cruel purpose, had it succeeded, may be seen in the melancholy fate which befel that portion of the Senecas, who were decoyed off to the west in the summer of 1846.

When the committee embarked in this effort to change the entire habits of a whole community or nation, strongly attached as these Indians were, to the usages and practices of their ancestors, and educated, as they had been, in a hereditary aversion to the institutions of civilization, they were fully aware that the undertaking was one of uncertain issue, and under the most favorable circumstances must have been expected to involve, much time and labor. By steadily persuing their purpose however, cheered under the most adverse circumstances by the unbounded confidence of the Indians, and sustained by the consoling assurances of their own feelings, that they were endeavoring to discharge what they believed to be their duty, towards an oppressed and grievously wronged people, they yielded to no discouragements, and have now the satisfaction to witness a most favorable and radical change, rapidly advancing among the Senecas, affording a consoling prospect that this remnant of a once numerous and powerful people, will be rescued from the melancholy fate that has befallen so many tribes of their race in our country.

On comparing the condition of those Indians, at the time when they came under the care of Friends, with their present situation, it will be seen, that there has been an improvement among them, even greater than could have been reasonably anticipated. We found them without a home,—destitute, desponding and miserable—they are now in possession of a sufficient extent of their patrimonial domain, secured to them by a title, of which they cannot be despoiled, but with their own consent, and by their own act—They have been taught to cultivate their lands, have comfortable dwellings, and the requisite stock and implements, to render their farms sufficiently productive of the necessary food

for their families.—Many of their children have received school education, and the condition of their women, has been greatly meliorated and improved, with the prospect that hereafter, they will occupy a much more comfortable and appropriate position, than formerly, and above all, the Senecas at Cattaraugus and Alleghany, from having formerly been generally addicted to the excessive use of spirituous liquors, have been induced to exclude all intoxicating drinks from their Reservations, and are become a sober, and to a considerable extent, industrious people.



PROCEEDINGS  
OF THE  
JOINT COMMITTEE.

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In the year 1827 Red Jacket, the distinguished Chief of the Seneca nation, then filling the highest station his people could confer, being their Head or chief Sachem ; perceiving his health to decline and the infirmities of age to increase upon him, became deeply concerned for the welfare of his tribe. The difficulties and dangers, which he saw, fast gathering around his people, rendered him desirous, if possible, by precautionary measures, to avert the desolation that he feared would soon overtake them. He anxiously cast his eye round him to see where they might find protection, when he should be removed by death,—or to use his own expressions, “ when my warning voice shall no longer be heard, and the foot of the Indian’s exulting foe may with safety be placed upon my grave.” Remembering the many acts of kindness, which had, reciprocally passed between his fore-fathers and the Society of Friends, as handed down by tradition from the first settlement of Pennsylvania, he determined to apply for assistance to the Committee on Indian affairs of New York Yearly meeting. He accordingly proceeded to that city, and made a personal appeal to the Committee ; entreating that Friends would take his people under their care, with a view to their civilization and instruction in agriculture, but more particularly with a hope that they might be able to protect them from the intrusions of the white people, and the evils of the land speculators.

That Committee had then under their care the Onondago

tribe of Indians, and did not see their way clear to come under any additional responsibilities. They informed him of this conclusion, and at the same time stated that the subject should be more maturely considered,—that it should be submitted to the consideration of the next Yearly meeting, and that when prepared, the Committee would give him an answer.

In the early part of the year 1829, and not many months before his decease Red Jacket renewed his application for the assistance of Friends, and in an earnest appeal to the Committee, eloquently invoking their sympathy and friendship, he laid before them the following Address in writing :

JANUARY 20, 1829.

*" To the Society of Friends of the City of New York.*

" At the treaty of Philadelphia with William Penn and the six nations, we considered William Penn as a friend to us, not wishing to cheat us out of our lands, but disposed to pay us a fair value for them. Since that time the Society of Friends have treated us very kindly. They have never shewn a disposition to wrong us out of our lands, but seemed to wish to cultivate friendship with us, and to let us have our rights and privileges, as well as to let us enjoy our religion.

" But there are certain persons residing among us at present, who, we believe, have a different object. They say they have been sent by the Great Spirit; but we do not think the Great Spirit would send people among us to cheat us out of our lands, and to cause dissensions to arise among us; which have made a division in our nation. No! We do not think the Great Spirit sent the black coats among us, for any such purpose. There are at present six thousand of our people, and upwards, who wish the Society of Friends to send a suitable person among us, and teach our young men how to til the ground, and our young women the arts of domestic manufactures, and to read and write.

" If our friends feel disposed to comply with our wishes, we

shall be happy to receive them, and will cause all the necessary buildings to be erected for their use. We think by having this plan carried into effect, our nation will once more become a united and happy people.

"Farewell, from your friend,

RED M JACKET.

As interpreted by J. GRANT, *Interpreter.*"

Owing to the disturbed and unsettled state of Society at that time, it was concluded to take no immediate action in the case, and RED JACKET was so informed. On hearing this decision he appeared to be greatly dejected, and again renewed his suit, urgently pressing Friends to reconsider his request. Sympathizing with the noble chief in his paternal concern for the preservation and welfare of his nation, a few Friends concluded to invite him to a private interview, at one of their houses, in order to have a further conference with him on the subject of his concern. The proposed meeting was had accordingly, when he was met on the part of Friends by ISRAEL CORSE, WILLIAM C. WHITE, ROBERT HICKS, and some others.

At this interview, Red Jacket pressed his suit, by stating many circumstances and considerations, from which it appeared, that in his estimation, the very existence of his nation was in jeopardy; and he concluded by declaring, with affecting emphasis, that "the SOCIETY OF FRIENDS, was now his only hope,"—that he knew them well, and was fully satisfied that if they would take his people under their care, they might yet be preserved from destruction. He stated with much feeling, that he was now an old man, that he must shortly be gathered to the graves of his fathers, and that his descent to the tomb would be made easy by the assurance that his nation, after his decease, would be under the care and protection of Friends. They had gained his entire confidence and the confidence of the Seneca nation, by their long continued and disinterested labors for the benefit of the Indians of this country.

Notwithstanding the deep concern and sympathy felt by Friends, on hearing the urgent appeal of this aged and venerable Chief, they were not prepared to come to any definite conclusion in relation to his request. It was however agreed to lay his application before the ensuing Yearly meeting of New York, to be held in the spring of that year,—which was accordingly done, and the subject was then referred to the attention of a Committee of men and women Friends, with instructions to extend such care towards these Indians, as they might be enabled to render.

Before taking any measures in the case, the Committee decided to appoint a sub-committee, with authority to visit the Seneca nation, ascertain more particularly their circumstances, and especially how far it was the general wish of the nation, that Friends should extend to their people that assistance and care which had been solicited by their Chief Sachem.

In the course of the year 1830, this deputation proceeded to make them a visit, and at the Buffalo Reservation met in Council fourteen of their Chiefs, and about two hundred of their people. From Buffalo they proceeded to Cattaraugus, where they met in Council five of their Chiefs, and about one hundred of their people. At these conferences the sub-committee was informed "that the Address presented last year to Friends in New York, dated January 20th, 1829, was agreed to in a General Council of all the tribes, or settlements, from Buffalo to Allegany, and that it was a true expression of the wishes of all their people except the Missionary party"—that they now renewed their earnest entreaty "to Friends, that they would send some person or persons among them, to teach them agriculture and domestic manufactures."

This information was laid before the Yearly meeting in the Fifth month, 1830, with the judgment of the Committee that, "essential and lasting benefit may be conferred on those Indians by the extension of care to them by the Yearly meeting." Which being approved by the meeting, several Friends were added to the committee, and they were encouraged to render

the desired aid. This Committee in order to be enabled to proceed advisedly, appointed a deputation to make another visit to the Seneca nation, to obtain fuller information relative to their disposition, location, and other circumstances necessary to be known, in order effectually to carry out the design of the Yearly meeting.

The Committee having performed the duties assigned them, so far as way had yet opened, drew up a Report, which was submitted to the ensuing Yearly meeting. In this Report they state, that "at a General Council, in which both the Christian and Pagan parties were present, the Indians appeared very grateful for this attention on the part of Friends, stating that they believed the Great Spirit had put it into the hearts of the children of William Penn to thus visit them,—expressing an anxious desire that some of us would come out and live among them, to teach their young men to till the ground, and their young women to spin, knit, and sew."

After duly considering this information, the Yearly meeting concluded to instruct the Committee to continue their attention to this service: And a Friend having offered to remove and reside among these Indians, his proposals were accepted, and it was arranged that he should be located at Cattaraugus, with instructions to extend such care and assistance to the people of that Reservation as he might be enabled to render. A delegation of several Friends was appointed to visit the settlement, and authorized to make such arrangements with the Indians in relation to the residence and duties of the Friend who was to remove there, as would be satisfactory to them.

The Committee after arriving at the Reservation, had a conference with the Indians, when it was agreed that a Farm of two hundred acres should be laid off in a situation most suitable for the purposes intended, to be occupied by Friends, so long as they might continue their labors, in accordance with the desire of the Indians. This being done, about seventy acres were cleared and fenced, and a commodious dwelling



and school house were erected, together with a barn and other requisite improvements, for the accommodation of a family.

The establishment was organized and the school opened in the year 1833. It was attended by an average number of twenty-five children.

Soon after these arrangements were so far completed, a communication was received from the Chiefs, expressing their satisfaction with what had been done, and again earnestly requesting Friends to continue their labors for the education of their children, and to protect them against the encroachment of the white people, who, as they stated, were constantly using means to take advantage of them. About this time the Indians of the Tonewanda Reservation, desired the care and assistance of Friends, but no way opened to grant their request.

In the year 1834, after the establishment of Genessee Yearly meeting, Friends of that meeting became interested for the welfare of the Indians, and united with New York Yearly meeting in the concern. From that time the more immediate care and superintendence of the establishment at Cattaraugus devolved on Genessee Friends, who attended to the duties of that department with satisfactory results until the year 1838.

In the Fifth month, 1837, the Yearly meeting of Philadelphia, under some general view of the difficulties in which the Indian natives, yet remaining East of the Mississippi, were involved; became concerned to renew its labors for their benefit. A Committee was accordingly appointed, chosen out of each Quarterly meeting, and consisting of thirty-two members; to whom the subject was committed, with instruction to "enquire into the concern, and to propose to next Yearly meeting what they might deem suitable on the occasion."

At the time that Committee was appointed, the Yearly meeting was almost wholly ignorant of the peculiar situation and circumstances of the Seneca nation; as is evident from its Minute, which only authorized its Committee to "*enquire* into the concern and to propose measures for its future consideration."

In the year 1838 that Committee made a report to its Yearly meeting, in which they state, that efforts to induce the Indians to part with their lands were causing difficulties and divisions among them,—that at a Council recently held with them, near Buffalo, a Treaty had been signed by some of their Chiefs, agreeing to cede four of their Reservations, and that, notwithstanding a remonstrance from a large number of them, fears were entertained that it might be sanctioned by the General Government, in which event those under the care of Friends would be removed far to the West. And they further say, “but in case this treaty, which appears to have been obtained by fraud, and against the will of a large majority of the Indians, should not be ratified by Government, it is believed the advice and care of Friends towards them, might have an influence to encourage them to habits of industry in the improvement of their lands,—of temperance and domestic economy, and might prevent them from falling into the hands of avaricious and designing speculators. We therefore suggest to the Yearly meeting the propriety of having a standing Committee appointed, in order to embrace any suitable opportunity of affording such advice and assistance as may be deemed needful, and to place at the disposal of such Committee a sum not exceeding five hundred dollars for this object.” This report being united with by the Yearly meeting, it appointed a Committee of nineteen Friends, to give such attention to the subject as they might deem needful.

Hitherto the action of the Committee of Philadelphia Yearly meeting, had been confined to correspondence by letter with Friends of Genessee Yearly meeting, and to personal inquiries for the purpose of obtaining such information as might qualify them for usefulness to the objects of their care. So extensive and intricate a case, involving so many subjects of inquiry, required caution, and made it necessary to obtain a full and accurate knowledge of the subject, in order to fulfil the object of their appointment.

In the winter of 1838–9 that Committee appointed a few of

their number to proceed to Washington on behalf of the Seneca Indians, and to solicit for them the protection of the Government. On their return they reported that they had an interview with the President, and several members of the Senate and House of Representatives, by whom they were kindly received. They add "and though they were informed that it was the settled policy of the Government to remove the aborigines west of the Mississippi river, as soon as practicable, yet they felt assured that the interference of Friends was timely, and awakened a more lively interest in the subject."

At the Yearly meeting in the spring of 1839 the Committee made report of the proceedings during the past year, in which they say, "Notwithstanding the many discouragements which the present circumstances of the Aborigines present, we believe that as the voice of truth and justice is raised to plead their cause, it will not be in vain:—and we hope the same kind feeling which has heretofore been manifested by the Society of Friends for this portion of our oppressed and injured fellow men, may continue to be cherished, and every right opening cheerfully embraced, to extend towards them that assistance, which justice and christian sympathy require." The Committee was continued to pay further attention to the subject, and to report to the ensuing Yearly meeting an account of its proceedings.

Up to this period no joint action of the three Yearly meetings of Genessee, New York and Philadelphia, had taken place: but in the summer of 1839 the President of the United States, having authorized the Secretary of War, to hold a Council with the Seneca nation at Cattaraugus, invited Friends of those three Yearly meetings, charged with the Indian concern, to attend that Council. † As the Council was to be held for the express purpose of submitting to the Senecas the Treaty, alledged to be *fraudulent*, and which had been the cause of so much distrust and difficulty, Friends promptly accepted the invitation to attend it. It was an opportunity so rare and so desirable for obtaining a full and authentic knowledge of the facts and

circumstances of this intricate subject, that Friends believed it to be their duty to be present on that interesting occasion.

On the 12th of the Eighth month, 1839, the Council was assembled pursuant to appointment. Several Officers of the General Government [were present. General Dearborn the Agent of the State of Massachusetts, and Judge Stryker, the United States Agent for the Seneca nation, with other distinguished individuals attended. Many speeches, both on the part of the Officers of Government, and of the Indians by their Chiefs, were made, and much information elicited of great importance to those, whose duty it was to plead the cause of a deeply injured and suffering people. But no other satisfactory result was obtained.

Having by this and other means gained much information in relation to the objects of their mission, delegates from the three Yearly meetings were appointed to lay the same before the President of the United States. When this delegation on their way to the seat of Government, arrived at Baltimore, they found the Yearly meeting of Friends, held in that city, was then in session. The subject of our concern, and some of the facts in relation to the Indians, were opened in that meeting; which, entering into deep sympathy with that suffering people, directed its Indian Committee, to unite with the Committees of the three Yearly meetings of Genessee, New York, and Philadelphia, in their endeavors to assist and protect them.

Thus united, the delegates of the four Yearly meetings proceeded to Washington, and on the 2d of the Eleventh month, 1839, presented to the President the following Memorial.

*‘ To the President of the United States :*

“The undersigned, on belief of the several committees on Indian concerns, appointed by the four Yearly Meetings of Friends of Genessee, New York, Philadelphia, and Baltimore,

**RESPECTFULLY REPRESENT :**

“That the religious Society of Friends, since the first settlement of Pennsylvania, has ever maintained with the abori-

gines of our country, the most cordial and friendly relations. The numerous acts of kindness—the protection and support—received by our emigrating ancestors from that people, have left on the minds of their successors, the most lasting impressions of gratitude. The friendship cemented by the justice and magnanimity of William Penn, on the one side, and by the benevolent conduct of the natives on the other, has been as lasting as it was honorable to both. The original treaty between them was never violated on either side. When the administration of the colonial government had passed out of the hands of the Proprietaries, Friends did not forget the obligations of gratitude and justice. On all proper occasions they have appeared on behalf of the Indians, as their friends and councillors. They sent agents to reside among them to instruct them in the arts of civilized life ; and, at great expense of time and money, labored for their civilization and improvement. The Senecas, Tuscaroras, Cayugas, Onondagas, and Oneidas, from their proximity to the settlements of our people, became the peculiar objects of our care.

“It is not, therefore, from any desire to meddle in the affairs of government, or to call in question the benevolence of its intentions, or to interfere with the just claims of any of our fellow-citizens, that we appear on the present occasion.—Our objects is, that the government of our country may exercise justice and mercy towards a weak and defenceless people, and maintain a character that, while it stands without reproach in the face of the world, will command the respect of every virtuous citizen.

“A treaty, concluded between the United States and some of the chiefs, headmen, and warriors, of the several tribes of New York Indians, bearing date January 15, 1838, was, by the President, transmitted to the Senate for its consideration. The great object of this treaty, on the part of the government, was the removal of that people to certain lands assigning them beyond the Mississippi. The Senate, designing to do justice between the parties interested, and to shield the Indians from the

aggressions and frauds of the whites, with a magnanimity proper to the exalted station assigned it by the Constitution, refused to ratify that instrument in form as presented. The treaty was amended in several important particulars, and it was then ordered, that so modified, it should be "fully and fairly explained to each tribe, separately, in open council, and that a majority of the chiefs should voluntarily and freely assent to each and all of the amendments made by the Senate." This being done, and the treaty signed by such majority, it was to be binding, otherwise to have no force or effect.

The object of the Senate, in thus directing that the treaty so amended should be "fully and fairly explained in *open council*," was obviously to prevent frauds, so easily practiced by artful men upon an unlettered and unsuspecting people. The Senate well knew that all the means which avarice could bring into action, might be *privately* employed, in order to remove the Indians. They knew that 116,000 acres of fertile land, surrounded by populous cities and towns, in the very heart of an agricultural district, highly improved and extremely productive, were a great temptation, and they wisely and honorably prescribed that the transaction should take place in "*open council*."

The directions of the Senate, so far as they enjoined that the amendments to the treaty should be "fully and fairly explained to each of the tribes in open council," appear to have been complied with: and it is to be presumed that the Indians well understood those explanations. But what was the result? The United States commissioner, in a letter dated Washington, October 25, 1838, says. "I then received sixteen signatures."

On the part of those who are in favor of emigrating, it is affirmed that the number of chiefs, duly qualified, is but *eighty-one*; while the non-emigrating party declare there are upwards of *ninety*. Taking, however, the lowest number, there were but sixteen chiefs out of eighty-one who signed the treaty in "*open council*."

But the commissioner (by what authority, is not stated) had informed the Indians, that "those who from *fear*, or other cause, should prefer to sign the treaty *at his room*, might do so." In pursuance of this arrangement, *thirteen* chiefs were induced to come forward and sign the treaty in the commissioner's room! Subsequently *two* other signatures were obtained, by waiting on the chiefs in their own *private* houses! Thus the names of *thirty-one*, out of more than *eighty* chiefs, appear as sanctioning that treaty!

Of this procedure on the part of the commissioner, the Indians, heavily complain. They affirm it to have been the uniform practice of the nation to execute such instruments in open council, unless in cases where delegates were specially appointed by the nation for that purpose. To a people who have not the use of a written language, customs sanctioned by immemorial usage, have the force of laws, are respected by them as such, and ought to be so respected by others. It requires but little knowledge of human nature to perceive that the mode of procuring signatures to a treaty, as adopted by the commissioner, if sanctioned by the government, must open a door for all manner of corruption and fraud. That it did so on the present occasion, is affirmed by the Indians, and proved by a long train of evidence of unquestionable character.

If the Senate, by directing that an explanation of the amendments should be had in open council, intended to prevent *frauds*, why should their execution be *in private*? We cannot perceive that there is more, or even as much danger of fraud in a *private explanation* as there is in a *private execution* of a treaty; and we see no ground in the resolution of the Senate, for supposing that it intended a private execution of that instrument.

The treaty, thus signed, was returned to the Executive. Not satisfied that the requisitions of the Senate had been complied with, the President, with a just regard to the high trust re-

posed in him, refused to sanction the proceedings of the commissioners, so far as regards the Seneca nation.

Having failed to obtain such an assent to the amended treaty as the resolution of the Senate required, the commissioner again repaired to the Seneca nation, and there directed the sub-agent of the United States to give public notice that he was present and authorized to take the signatures of such chiefs as desired to give them. In his second report to the Office of Indian Affairs, he says: "After this notice, *ten* additional names were received to the assent, making in all *forty-one*." *Three* additional names were subsequently forwarded to Washington; after the treaty was under consideration.

It becomes our duty now to show by what means the names of a very considerable number of the chiefs who signed, or *appear* to have signed that treaty, became attached to it. We have seen that only sixteen of them signed it in open council; the others, amounting to *twenty-eight*, were *privately* obtained. X

It may be proper here to premise, (though the fact is generally known,) that the Ogden Company holds a pre-emptive claim to the lands of the Seneca Indians; that is, as we understand it, an *exclusive* right to purchase these lands when the present owners choose to sell them. This right is vested in that company by purchase from the assigns of the State of Massachusetts. Powerful in its recourses, this company is seeking, by various means, to dispossess the Indians. Whenever and wherever a treaty is to be held with this nation, then and there we find the Ogden Land Company, by its agents, prepared to put in operation their measures to persuade or drive these Indians from their present homes.

Among the various means employed to obtain signatures to the treaty one is, by large rewards and specious promises, to secure the services of influential chiefs, and binding them to "use their best exertions and endeavors to dispose and induce the said Indians to sell and release, by treaty, their lands." By sundry documents, exhibited to us by the Seneca Indians at the late council held at Cattaraugus, it appears, that to eight X



→ chiefs of that nation, the payment of \$21,600 was promised, upon the faith of written articles duly executed by the company's agent, for the purpose aforesaid.

^ By an article of agreement between the said agent and John Snow, a Seneca chief, dated 29th July, 1837, the said chief was to receive the sum of \$2,000 and a lease for life of the farm on which he resides. Afterward, when the amended treaty was pressed upon him, he declares, under oath, that General Potter, agent of said company, offered him, \$4,000 if he would sign the assent to the amendments, and that he should have a deed for two hundred and thirty acres of land wherever he should choose it, and that deponent's wife might call on him for \$50. After his signature was obtained, as described in the affidavit, Potter made him a present of \$100.

Samuel Gordon, another of said chiefs, by an article dated August 7, 1837, was to receive for his services in the premises the sum of \$6,000.

George Bennett, another chief, by an article bearing date August 7, 1837, was to receive on the same account the sum of \$6,000.

George Bigdeer, another of said chiefs, for the like services, was to receive the sum of \$1,000 and a lease for ten years of the land on which he resided, containing about fifty acres, as appears by an article dated September 16, 1837.

Blue Eyes, another chief of that nation, for *signing the treaty*, and for his services aforesaid, was to receive \$2,000 and a lease for life of the land on which he resided, containing about fifty acres.

→ Jacob Jameson, another Seneca chief, for his services as aforesaid, and for *signing the said treaty*, was to receive \$1,000.

→ John Gordon, a chief of said nation, for *signing the said treaty*, and for services as aforesaid, was to receive \$1,100 and a lease for ten years of about sixty acres of land, improved and now occupied by him, on the Alleghany reservation.

Levi Halftown, a Seneca chief, for his services and influence,

was to receive \$500 and a lease for about sixty acres, to hold the same so long as he shall continue to live thereon.

The Committee on Indian Affairs, to whom was referred the President's message, dated January 21, 1839, transmitting a treaty, as amended by the Senate, in their able and lucid report, say: "Those opposed to the treaty accuse several of those who have signed their assent to the amended treaty with *having been bribed*, and, in at least one instance, they make out the charge very clearly." We trust the accompanying documents, containing copies of similar contracts, will make out the charge with equal clearness; in other instances and by fair inference we may conclude the charge true in many cases not yet come to light.

But we have seen that, in addition to the sum of \$21,600, to be paid to the aforementioned eight chiefs, as a reward for seducing their fellow chiefs to sell the lands of their unwilling constituents, there was an engagement entered into, by the agent of the Ogden Land Company, to give four of the said chiefs leases of lands on their present reservations; some for life, some for a term of years, some during actual occupation, and one a fee simple title for 230 acres, "on condition of services to be [by them] faithfully performed in the premises," &c. By such leases and conveyances the apparent order of things is to be curiously reserved! The emigrating party is to stay at home, while the party *averse to a removal* are to be driven from their lands and firesides against their consent! We have no doubt, from a variety of evidence, that one of the most powerful inducements offered to the *emigrating chiefs* (under the impression, from repeated assurances, that the treaty would, at all events, be enforced,) was the belief that, if they complied with the wishes of the Ogden Company, they would be permitted to live and die on their native ground!

Little Joe, a warrior of the Seneca nation, resident at Buffalo, in an affidavit taken before H. A. Salisbury, dated February 7, 1839, deposes and says: "There were frequent meetings of the *purchasing company* with those who were hired as runners,

to devise means to accomplish the company's purpose ; that, at such meetings, there was a bounty of \$40 per name offered to such runners as should obtain the signatures of chiefs to papers said to be powers of attorney, made either to the Indian agent or one of the company, or one of the emigrating Indians, empowering said agent, one of the said company, or Indians, to affix said chief's names to the assent to the amendment ; and further, that the runners were instructed to leave no means untried to obtain the signatures of chiefs to said papers, especially with such as could be worked upon by liquor."

David White, a chief of the Seneca nation, residing at Buffalo, by affidavit bearing date February 7, 1839, deposes, that while commissioner Gillet was in Buffalo last fall, one John Jameson (an Indian and runner for the purchasing company) came to this deponent and offered him \$1,000, cash in hand, provided this deponent would go down to Buffalo to the mansion house (a tavern) and sign the assent to the Senate's amendments, which deponent absolutely refused ! Such were some of the means used to effect the company's purposes ; but others, if possible, still more objectionable, will now be adverted to.

By an affidavit, signed by Big Kettle and seven other chiefs of the Seneca nation, bearing date February 7, 1839, it appears that John Hutchinson, Charles Greybeard, and Fisher Peirce, three Indians of that nation, residing at Cattaraugus, had attached their names to the amended treaty *as chiefs*, and that they obtained this title by a sham election at a tavern in Buffalo last fall ! The deponents say that such an election is fraudulent ; no election to the office of chief being valid unless sanctioned by the Six Nations in council assembled.

John General, a chief of the Seneca Nation, in his affidavit, dated February 7, 1839, says, that, near the close of the council held last summer by R. H. Gillet, being on his way to Buffalo, he was enticed by one of the runners of the purchasing company into a tavern and pressed to drink some ardent spirits, which he did, and finally became intoxicated, in which state

he was strongly pressed to sign the assent to the amended treaty, which he constantly refused. He further deposes that he has since been informed his name is affixed to it; and solemnly declares, that he never so affixed it, unless it was when he was so drunk that he did not know it, and has never since remembered it.

In a letter from one hundred and forty young warriors of the Seneca nation to the Secretary of War, dated April 6, 1839, they say: "The fact is, that those chiefs who are in favor of emigration have, almost to a man, by bargains with the purchasing company, provided for the *future* residence of themselves and families for life! Those very men who are most urgent for us to go, are the very men who are to stay!"

Whatever may have been the reasons in favor of the removal of the Indians in the southwestern parts of the United States, we do not think they are applicable to the case of those on whose account we now appear. It is true that the Indian nations who formerly resided on the Atlantic frontier have been either wholly exterminated or driven back. At the touch of the "white borderers," they have been consumed. In an uncivilized state the red man receives the vices and diseases of the white, but is not prepared to practice his virtues or to use his remedies. These vices and diseases have made more havoc among the aborigines of our country than the tomahawk or the sword. But the country surrounding the *Seneca Indians* is now *civilized and densely populated*. Instead of perpetually meeting the rude squatter, who, with his rifle and his rum bottle, neither fears God or regards man, the New York Indian has only to step over the geographical line which marks the boundary of his reservation, and he finds himself in the midst of an intelligent and virtuous population. He sees fertile fields, in a high state of improvement, rendered profitable by a judicious system of agriculture; he sees beautiful specimens of building, securing the comforts and elegancies of life, and commanding his admiration by their adaptation to our wants or our tastes. Instead of examples whose only tendency is to corrupt

and debase him, he sees on every side models of industry, sobriety, and order.

The greatest obstacle to the civilization of the Indian is his *aversion to labor*. Civilization is a system of restraints. At every turn it demands a sacrifice of *personal ease*. In his natural state, the *pleasures* of the Indian feed him. He procures his *food* by *fishing* and *hunting*. In the state to which we invite him, "by the *sweat* of his face he must eat bread." To arrive at this state, both *nature* and *habit* must be overcome. It is not, therefore, a subject of wonder that he slowly and reluctantly yields to the *necessity* of a change. No nation, perhaps, ever became civilized but by the force of circumstances. But the *situation* and *circumstances* of the *New York Indians* have brought them to this *necessity*; either *civilization* or *extermination* must overtake them, and they generally know it. They have perceived it for some years past, and partly from this conviction, and partly by the force of example, they have within a short period, made more rapid advances in the arts and improvements of *civilized* life than at any former time.

M. B. Pierce, a young Indian of the Seneca nation, who, through the bounty of our Government, has received a liberal education, writing on this subject, makes the following statement in relation to his tribe: "In business there is much greater diligence and industry; their teams, in respect to oxen, horses, wagons, sleighs, &c., are more in number and better in quality than formerly; and, in these respects there is a constant improvement. The *men* labor *more* comparatively, and the women *less*, except in their appropriate sphere. With regard to buildings, they are much more conveniently planned, and of the best materials, both dwelling-houses and barns, and new ones constantly going up. Those who have not lands of their own under cultivation are much more willing to hire themselves to labor for others; this shows that the idea that work is dishonorable, is done away. There are among us good mowers, and cradlers, and reapers; blacksmiths, carpenters, shoemakers, and other mechanics, do work enough for their

brethren. There are several wagons in the nation that are worth more than \$100. Manure is sometimes applied, which, but five years ago, was almost universally wasted. With regard to their mode of living, tables, chairs, bedsteads, and cooking apparatus, have been purchased of the whites, or manufactured in imitation of them; and they are used to a greater or less extent in every family. The habit of taking regular meals is gaining ground, and the provision luxurious. They are more attentive and judicious in the care of the sick, and rely less on notions and quackery. They employ skilful physicians, and use the medicines with less prejudice and a great deal more confidence. We have other evidences of improvement, in the increase of industry, and a consequent advance in dress, furniture, and all the comforts and conveniences of civilized life. The fields of the Indians have never been kept in such good order, nor managed with so much skill, as within a few years. At public meetings and other large assemblies they appear comfortably and decently, and some of them richly clad. There are many of them who keep themselves well informed of what is going on in the country. Newspapers have been taken from Washington, Philadelphia, New York, and other cities in the United States, and two or three copies of the 'Genessee Farmer.' Some of the young men have libraries, and in them a choice selection of books. All these improvements are advancing at a rapid rate."

From other sources of information, and from our own knowledge, we believe this picture is not over colored. The increasing intelligence of the Indians is qualifying them better to appreciate the advantage of their present location; and the consequence is, that they are more and more averse to a change of residence. The events of the two preceding years have caused them to reflect, to investigate, to reason; and a number of those who, when the subject of emigration was first proposed, and large rewards offered for their compliance with the measure, were willing to sign the treaty, have since become the most decided opponents of the scheme.

By a census taken during the present summer, and confirmed by affidavits, it appears that not *one-fifteenth part* of the Seneca nation are willing to go the West; and this we believe to be the result of their own deliberate reflection, as strongly, and in a very affecting manner, expressed by one of their chiefs in the presence of the Secretary of War, at the late council held at Cattaraugus. Out of a population of 2,449 on the four reservations, there are only 138 who are willing to remove, including the children of parents in favor of emigrating.

But it has been maintained by the pre-emption company and their advocates, that those willing to emigrate have been deterred from signing the treaty through "fear," and the United States commissioner, R. H. Gillet, very plainly insinuates the same idea, where he says "those who, through *fear* or other cause, should prefer to sign the treaty *at his room*, might do so." Now, supposing that a majority of the chiefs *had* signed the treaty, and that such a majority implied a *majority of the people*, we see no cause why there should not be as much fear on the one part as on the other; for they are all Indians, and one party is no more entitled to the character of *savages* than the other. If, however, there is a consciousness of *perfidy* and *wrong* on the side of the *minority*, if it has yielded to improper influences, and, from selfish motives, has done what it could to drive from their native homes *fourteen-fifteenths* of their brethren and sisters, it is very reasonable to suppose *such minority* would be haunted with those fears, which are usual concomitants of guilt. If the emigrating party is as anxious to go as the other is to stay, why should there not be as much fear in one case as the other? We consider the allegation of "fear" a pretext or an excuse for a *private* execution of the treaty, in violation of the established usages of the nation.

By the report of the Senate's committee, it appears to have been their opinion, that, in order to a fair expression of the national will, the signatures of the chiefs ought to have been affixed to the treaty in "open council." "If," say they, "these forty-four had signed the amended treaty in *open*

*council*, the committee would consider that the requirements of the Senate had been complied with, at least with the *appearance* of having a majority." But, we have seen that only *sixteen* names, out of *eighty-one*, were thus obtained. On this principle, it was not *then*, nor is it *now*, a valid treaty.

We have seen by the census of the four reservations, that less than *one-fifteenth* part of the nation are in favor of removal; a conclusive evidence that the signatures reported by the United States commissioner do not fairly express the will of the people; and this fact carries with it a strong presumptive evidence that most of the chiefs who signed the treaty were influenced by other motives than the will of their constituents.

Under these circumstances, if there be real cause of *fear*, *that* fear should have reference to the period when they met their brethren beyond the Mississippi, suffering under a consciousness of *wrong*, and irritated by the difficulties and privations incident to a new settlement in an uncultivated wilderness.

But if the *emigrating party* really believe it would be for their *interests*, and for the interests of their children, to return to the habits and manners of savage life, their more liberal opponents would not interpose to thwart their views. In the late council at Cattaraugus, the non-emigrating party, in the presence of the Secretary of War, announced their willingness that "those who are willing to go, may go, and take their share of the common property." "We will not," said their official organ, "refuse them their share of whatever belongs to them." An offer so liberal and so just, we think, ought to satisfy them.

Under former administrations, it was a favorite policy of the government to promote the civilization of the Indians, and large sums were appropriated for that purpose. But many of our fellow-citizens now entertain the sentiment, and we have no doubt sincerely, that the Indian is an untameable savage, made for the wilderness, and only capable of subsisting in a state of nature! We think the sentiment is erroneous—that circumstances only, make the difference between them and



the white men. Our ancestors, in the island of Great Britain, when the polished Romans invaded their territory, were as savage as the natives of our own country at the planting of the first colony in Virginia; they painted their bodies and clothed themselves in skins. Centuries rolled away; the example of a civilized state, with all its advantages, was before them, and yet they remained nearly as barbarous as when first visited by a Cæsar! Six hundred years after the invasion, they were far less improved in the arts of civilized life, than are our Indians, after the lapse of one-fourth part of that time. In the Seneca nation, the march of improvement in science and morals, as well as in their physical condition, is, perhaps without a parallel in the history of our species! It is true much is yet to be accomplished—but the lights of experience shine on our path—the facilities of intercourse are astonishingly multiplied—and nothing, we think, is wanting to the consummation of our wishes, for the complete civilization of the New York Indians, but a faithful application of the means which a benevolent Providence has put into our hands, or placed within our reach.

We had fondly hoped that this small remnant of the once powerful nations, which, but a little more than a century ago, peopled our forests, and covered the face of our vast country, might have been permitted to enjoy in peace the small remains of their inheritance! We had hoped, that by the fostering care, and kind protection of our government, they might have been preserved to future generations, a fair specimen of our aboriginal race—a noble monument of the justice and magnanimity of our nation; and, we trust, that these hopes may not yet be wholly frustrated. In a national point of view, their removal can be no prominent object—they are few in number, and occupy little room!

In the peaceable possession of their lands and improvements, these Indians are entitled to the protection we ask for them, not only by the requisitions of mercy and justice, but by the express assurance of the government, whose faith has been solemnly and publicly pledged for that purpose. By an in-

strument of writing, under the hand of General Henry Dearborn, and seal of the War Office, dated March 17th, 1802, now more than thirty-seven years ago, it is among other things, declared "that all lands claimed by and secured to the Seneca and Onondaga Indians, by treaty, convention, deed of conveyance, or Reservation, lying and being within the said United States, shall be and remain the property of the said Seneca and Onondaga Indians, for ever; unless they shall voluntarily relinquish or dispose of the same. And all persons, citizens of the United States, are hereby strictly forbidden to disturb the said Indian nations, in the quiet possession of said lands."

By those who desire the removal of the Indians, without regard to the means, it is contended, that a signature of the treaty, by a majority of the chiefs, ought to sanction its ratification. If such majority had signed it in the free and unbiased exercise of their judgment, we should not have appeared on the present occasion. We have no desire, either to prevent the Indians from pursuing their happiness in their own way, or to oppose the pre-emption company, in the pursuit of their interests, by just and honorable means. But, when questions, deeply affecting the rights of others, are to be decided by majorities, it ought to be presumed, that a *majority* of votes, on such questions, fairly represents the will of a *majority* of the people interested. To support a contrary opinion, would be to argue, that the will of a *minority* should govern in the case, and thus to remove the very foundation of all republican institutions. We are confident that our present rulers are not prepared, either in theory or practice, to support such a doctrine; and all we ask, in the present case, is, that the "amended treaty" may not be ratified, until, after a fair and impartial investigation, it shall appear that a *majority of the Indians* interested in the treaty, are in favor of its stipulations.

We thus express ourselves because of the high confidence we feel in the integrity of our government; a confidence supported and confirmed by its past action in reference to this treaty. A committee of the Senate, in the report which has

been before alluded to, has nobly sustained the sentiments of the memorialists. In that report they say, "If these forty-four had signed the amended treaty in open council, the committee would consider that the requirements of the Senate had been complied with, *at least with the appearance of having a majority*; but it is in vain to contend that the signatures of the last *ten*, which were obtained on the *second* mission, or of the *three* who have sent on their assent lately, *is such a signing as was contemplated by the resolution of the Senate*. It is competent, however, for the Senate to waive the usual and customary forms in this instance, and consider the signatures of these last *thirteen* as good as though they had been obtained in open council. But the committee cannot recommend the adoption of such a practice in making treaties, for divers good reasons, which must be obvious to the Senate. Among those reasons against the *secret individual negotiations*, is the distrust created, that the chiefs, by so acting, are doing what a *majority* of their *people* do not approve, or are improperly acted upon by *bribery or threats and unfair influences*."

To contemplate a forcible removal of the Indians, and the heartrending scenes that must accompany such removal, is shocking to every sentiment of justice and humanity. To see a great and powerful nation, lending its aid to oppress the weak and helpless, must tend to loosen the attachment of the people to their government, and would do more to weaken the bond of our national union than all the enemies of a just people could ever effect. The United States, by the peculiar nature of their institutions, stand conspicuously before the world. On the purity of our national administration, in a great measure, depends, not only the happiness and prosperity of our own citizens, but, perhaps, the success of one of the most momentous and interesting experiments which has ever been exhibited to the view of mankind. The great question, whether in a collective capacity men are capable of self-government, is yet to be finally decided. The happy decision of that question depends upon the virtue of the nation. May the great Ruler of the

Universe, in his boundless mercy, so direct the delegated authorities of our country, that in all their decisions involving the rights of others, they may be governed by the principles of truth and justice; for it is a maxim sanctioned by Divine authority, and in perfect accordance with universal experience, that "Righteousness exalteth a nation, but sin is a reproach to any people." And may the President, when he retires from the arduous duties of government, to the quiet enjoyments of private life, experience the highest reward of an upright statesman, "the inward consciousness that in all his movements he has honestly endeavored, by the worthiest means, to promote the best ends—the present and future welfare of his country and of mankind."

Signed on behalf of the said committees,

GRIFFITH M. COOPER,	}	<i>Genessee.</i>
WILLIAM S. BURLING,		
VALENTINE HICKS,	}	<i>New York.</i>
AMOS WILLETS,		
ABRAHAM BELL,		
ROBERT HICKS,		
SAMUEL J. UNDERHILL,		
BENJAMIN FERRIS,	}	<i>Philadelphia.</i>
JOHN WILSON MOORE,		
JOHN JACKSON,		
RICHARD PRICE,	}	<i>Baltimore.</i>
PHILIP E. THOMAS,		
PHINEAS JANNEY,		
WILLIAM E. BARTLETT.		

*Eleventh month 2, 1839."*

On hearing the memorial, and the explanatory statements of the committee, the President assured Friends that he disapproved of all *fraudulent means* to procure the emigration of the Indians, and *never would sanction the treaty then before the Senate, provided that satisfactory evidence were laid before him, proving that such means had been used on the present occasion.* Cheered by this assurance, and confident that additional and

ample evidence of fraud of the most nefarious character, could be procured by a mission to the Seneca nation, one of the committee immediately left Washington and proceeded to Buffalo for the purpose.

The object of this mission having been fully attained, and much additional evidence of an official character procured, going to prove that the amended treaty had neither been fairly obtained nor executed in conformity with the directions of the Senate, it was deemed proper again to address the President, and lay before him this testimony. A delegation from the joint committees of the four Yearly meetings accordingly repaired to Washington with the following memorial.

*To the President of the United States.*

The committees of the four Yearly meetings of Friends of Genessee, New York, Philadelphia, and Baltimore, who, by their delegates, waited on the President on the 1st of Eleventh month last, in behalf of the New York Indians,

**RESPECTFULLY REPRESENT :**

That in pursuance of their object, as expressed in their letter to the President, dated Eleventh month 4, 1839, they have taken such measures to ascertain *facts*, in relation to the execution of the amended treaty with the Seneca nation, as may assist the President to form a just conclusion on the subject. In our interview with the President, we understood him distinctly to say, that if he should be fully assured that a majority of their chiefs had not fairly signed that treaty, or authorized others to sign it on their behalf, he should not think himself at liberty to ratify it. The committees of those Yearly meetings were already convinced, from a great mass of testimony of unquestionable character, that such majority had never so signed that instrument; but in order more fully to substantiate that opinion, they resolved, by a special mission, to investigate the subject in a more formal manner. To be prepared for such an investigation, they addressed a letter to the Secretary of War,

requesting him to furnish them with the names of all the chiefs attached to the treaty as amended. With this request he kindly complied, and by letter dated "Office of Indian Affairs, Washington, November 22, 1839," a list of those names was furnished the committees. Thus prepared, our friend Griffith M. Cooper, on our behalf, proceeded to the city of Buffalo, and opened to a few of the chiefs the nature of his errand. Wishing to forward the object of his mission, they called a council, and invited him to be present. A full examination of all matters connected with that object was then made; and after a laborious investigation, the following results were obtained, which we now lay before the President.

It appears, by reference to the amended treaty, that forty-one names are attached to it, *as chiefs* of the Seneca nation. Of these, there are six who were not then, nor are they now chiefs. Their names are as follows, to wit: Reuben Pierce, Jim Jonas, John Gordon, Charles Graybeard, John Hutchinson, and Charles F. Pierce.

The first two of these have never held any higher station than "runners." For evidence of this fact, we refer the President to the affidavit of Seneca White, dated December 11, 1839.

That the aforesaid six Indians never were considered chiefs X of the Seneca nation, and therefore had no authority or right, according to the laws or customs of the confederation, to sign any treaty whatever, is shown by the affidavit of sixty-seven chiefs, sworn before H. A. Salisbury, commissioner of deeds for Erie county, dated December 11, 1839.

John Gordon, one of the said six Indians, swears that he never was a chief. See affidavit dated December 11, 1839.

There are six other names of chiefs attached to the treaty, & who solemnly swear that they never signed it, nor in any way authorized others to sign it on their behalf, to wit: John Tallchief, John General, Major Jack Berry, Samuel Wilson, John Bark, and Sky Carrier. See documents now in the Office of Indian Affairs at Washington.

From the forty-one names attached to the amended treaty, deduct the aforesaid twelve, and there remain but twenty-nine names.

The emigration party say, there are in the Seneca nation—  
lawful chiefs - - - - - 81

Of these, *six*, who have signed the amended treaty, are denied to be such by the non-emigration party, upon grounds before stated. - - - - - 6

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Leaving undisputed chiefs - - - - - 75

The non-emigration party say, there are in the nation—  
lawful chiefs - - - - - 91

Of these, sixteen are denied to be such by their opponents 16

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Leaving, as before, undisputed chiefs - - - 75

Of these undisputed chiefs, only *twenty-nine* have signed the amended treaty; leaving of undisputed chiefs against it - - - - - 46

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Showing a majority against the treaty of - - - 17

If all are admitted to be chiefs who are claimed by both parties, they amount to - - - - - 97

Of these, forty-one appear as sanctioning the treaty - 41

Leaving a majority against the treaty of - - - 16

But of the forty-one whose names appear upon the treaty, there are *six* who swear they never, in any way, sanctioned the treaty—deducting these, the majority would be - - - - - 21

If all are admitted to be chiefs who are claimed by both parties, the whole number, as above shown, is *ninety-seven*; and a majority of this number is *forty-nine*. As only forty-one chiefs signed the treaty, it is clear that a majority did not sign it.

If, on the other hand, we reject the disputed chiefs, we find the number remaining to be seventy-five. In the 41, who are

alleged to have signed the treaty, are the names of 12 disputed, chiefs; leaving 29 who are not disputed, and who, of course, are not a majority of 75.

From this statement, it appears that, whether we try the issue upon the admission of all the chiefs claimed by both parties—and if they be admitted in one case, they must, in equity, be so in both—or whether we try it by admitting those only who are acknowledged by each party; in neither case will it be found that a majority of the chiefs have signed the treaty.

In our former communication we stated to the President that, out of a population of 2,505 Indians, men, women, and children, belonging to the Seneca nation, only 146 were professedly willing to remove. This fact shows that some powerful motive has been in operation upon many of the chiefs, inducing them to violate the will of the people, which, in duty, they were bound to consult. To that motive we distinctly pointed in our former memorial.

That the emigration party do not wish to remove, appears from the fact, that they have, in many cases, (probably in all,) by contracts with the pre-emption claimants, secured a home for life on the lands they now occupy.

In the council held by Commissioner R. H. Gillet, in the year 1838, although it was protracted for about four weeks, only fourteen acknowledged chiefs openly signed the amended treaty. All the other signatures were either obtained privately, or attached to it without the consent of the chiefs, whose signatures they purport to be, or they were the signatures of persons who were not chiefs.

We hope and trust that when the President shall have considered these facts, and others exhibited in the various documents presented on this subject, he will see sufficient cause to withhold his assent to a treaty, which, if carried into effect under present circumstances, can hardly fail to exasperate a great majority of the nation, and may finally lead them to war and bloodshed among themselves.



Signed on behalf of said committees:

GRIFFITH M. COOPER, *Genessee.*

ABRM. BELL,  
DOBEL BAKER,  
SAMUEL SMITH,  
THOMAS CARPENTER, } *New York.*

WM. WHARTON,  
GEO. M. JUSTICE,  
JOAN H. BUNTING,  
JOSEPH WARNER,  
BENJ. FERRIS, } *Philadelphia.*

P. E. THOMAS,  
WM. E. BARTLETT,  
JACOB LAFETRA,  
PHINEAS JANNEY. } *Baltimore.*

*Washington, First month 29, 1840.*

When the delegation arrived at the Seat of Government they were informed by the Secretary of War that the President had returned the treaty once more to the Senate. Friends had now a cheering hope that, with the great mass of evidence of *unquestionable character*, in their possession, they might induce the Senate to reject an instrument, *purporting* to be a treaty, which that evidence proved to be deeply tainted with fraud.

By the Message of the President transmitting to the Senate that document, it appeared, that in his judgment the most objectionable circumstances urged by Friends to invalidate it were well founded. The message was dated January 13th, 1840. In it the President expressly declared, that "the resolution of the Senate of the 11th of June, 1838, requiring the assent of each tribe of Indians, to the amended treaty, to be given *in council*, had not been complied with, as it respects the *Seneca tribe*." Referring to the council held by the Secretary of War at Cattaraugus in the Eighth month, 1839, he declared that "no advance towards obtaining the assent of the Seneca tribe to the amended treaty, *in council* was made; nor can the assent of a majority of them *in council*, be now obtained." Alluding to the charge of bribery, he said, "that

*improper means* have been employed, to obtain the assent of the Seneca chiefs, there is every reason to believe : and I have not been able to satisfy myself, that I can, consistently with the resolution of the Senate of the 2d of March, 1839, cause the treaty to be carried into effect, in respect to the Seneca tribe."

When the delegation found that the treaty had been returned to the Senate, with such a sentence of condemnation against it, as all upright men might reasonably suppose, would sink it into oblivion, they could not but hope that such a body as the Senate of the United States would immediately reject it. *Three* of the most prominent and important points urged by Friends against that spurious document, had been sustained by the President. The *conditions* on which alone it could be ratified "not complied with,"—a *majority of the chiefs not sanctioning it*, and that majority "not to be obtained" by the Secretary of War, purposely delegated to wait on them for that purpose ;—and finally "*improper means*," that is, in plain language BRIBERY, employed to obtain the assent of the Indians to its ratification.

Such was the situation of the concern when the delegation arrived at Washington on the 28th of the First month, 1840. After presenting the foregoing memorial to the President of the United States, and finding the treaty, once more before the Senate, it was thought proper, to present to that body a memorial, which had been previously prepared for the occasion ; it is as follows :

*To the Senate of the United States,*

The memorial of the Joint Committees of the four Yearly meetings of Friends of Genessee, New York, Philadelphia, and Baltimore.

RESPECTFULLY REPRESENTS :

That, ever since the settlement of Pennsylvania by William Penn, the Society of Friends have held the most friendly intercourse with the natives of our country. A friendship, arising

from a reciprocation of benefits, has been maintained between them, without any interruption. It is now more than forty years since that society formed establishments on some of the reservations in the western part of New York. These establishments, having for their object the instruction of the Indians, in agriculture and the arts, with a view to their civilization, have been maintained at great expense of money, time, and labor, which have had the effect to secure their confidence, and to cause them, when under difficulty or embarrassment, to apply to Friends for counsel and assistance. It is under these circumstances, and at their request, that we now appear before you.

A treaty made with the Indian tribes in that region, in the year 1838, was submitted to the Senate. With a view to protect and secure these Indians from improper influence, that body amended the treaty by making several important additions to it, and then passed the following resolution, to wit:

*“Resolved, That this treaty shall have no force or effect whatsoever, as it relates to any of said tribes, nations, or bands of New York Indians; nor shall it be understood that the Senate have assented to any of the contracts connected with it, until the same, with the amendments herein proposed, is submitted and fully explained by a commissioner of the United States, to each of said tribes or bands, separately assembled in council, and they have given their free and voluntary assent thereto. And if one or more of said tribes or bands, when consulted as aforesaid, shall freely assent to said treaty as amended, and to their contract as connected therewith, it shall be binding and obligatory,” &c.*

To your memorialists, it appears the Senate intended that the *execution* of the said amended treaty, as well as its *explanation*, should be done *in open council*. This course indeed was necessary, in order to fulfil the honorable intentions of the Senate, and, we may add, in order to make the treaty valid, according to the laws and customs of one of the contracting parties. For, with these Indians, it is an established rule, that the

chiefs, *out of council*, have no more power to make contracts by treaty, than any other individual of the nation, unless when that power has been conferred upon them by the voice of the people in council assembled.

If, by directing that the treaty, as amended, should be "fully explained" in council, the Senate intended to prevent fraud and imposition, that intention would be wholly defeated by permitting a *private execution* of it; for we think it must be apparent that a *private execution* of the treaty opens a *wider door* for corruption and fraud than a *private explanation* of it. The truth of this conclusion, we believe, will be manifest to the Senate, by adverting to facts, proved by the various documents accompanying the treaty, as transmitted by the Executive.

In the resolution of the Senate, before quoted, there is no permission given for a *private execution* of the amended treaty, nor is there any allusion to such a mode of expressing the assent of the Indians to that instrument. It would seem that the commissioner at first understood the resolution as we do; for after making the necessary explanations of the amendments in open council, and protracting its sessions for about four weeks, he only obtained *sixteen* signatures, *two* of which were of persons who were not chiefs. It was not until after he had failed in this mode to obtain a majority, that he resorted to the other, of which the Indians so much complain. By what authority he proceeded to obtain signatures *in private*, your memorialists have never been informed.

To us, it appears that the language of the resolution admits of but one construction, and contains *positive* testimony in favor of our position, that the Senate intended that the treaty should be executed *openly* in council. The Indians were to be assembled *in council*; it was to be fully explained to them *in council*; they were to be "consulted" *in council*; and freely to *assent* to its provisions *in council*. It seems to us that all these transactions were intended to be simultaneous, and all done *in open council*. Had the commissioner acted upon these views, great difficulties and much trouble would have been prevented.

This will abundantly appear by reference to the voluminous documents on this subject, already transmitted to the Senate, or yet remaining in the Indian Department; documents which, we think, will very clearly show the dangerous consequences of permitting solemn treaties to be executed *in a private and clandestine* manner.

The commissioner, finding the open mode of obtaining signatures to fail, proceeded to take them *privately*. And now a scene opened, perhaps unparalleled in the annals of negotiation. The means used to betray an ignorant and confiding people will be laid before the Senate; means which, if successful, might subject our Government to the suspicion of conniving at fraud, and thus tarnish the character of our country.

In the prosecution of this *private* course, *fifteen* more names were added to the treaty; now making thirty-one. Thus signed, it was transmitted to the Executive, who, not satisfied that the requisitions of the Senate had been complied with, refused to sanction it; upon which, the commissioner, returning to the Seneca nation, *privately* obtained *ten* more names, by which the number was augmented to "forty-one." In this state it was laid before the Senate. Its Committee on Indian Affairs, after a laborious investigation, and hearing testimony on behalf of both parties, made a report, in which they say: "This number has been increased by *three* additional names, which have been forwarded since the treaty has been under consideration, which increases the number of those who have assented, to forty-four. If these 'forty-four' had signed the amended treaty *in open council*, the committee would consider that the requirements of the Senate had been complied with, at least *with the appearance* of having a majority. But it is vain to contend that the signatures of the last *ten*, which were obtained on the second mission, or of the *three* who have sent on their assent lately, is *such* a signing as was contemplated by the resolution of the Senate."

With these views your memorialists entirely coincide. Since that report, no action has been had in relation to the treaty,

rendering this conclusion inapplicable to the case. The treaty remains as it then was, with "with forty-one" signatures. If the conclusion of the committee was then correct, and applicable to the circumstances stated, it is equally so now; and its execution is still *not such* "as was contemplated by the resolution of the Senate."

But since that able and lucid report was made to the Senate, *other* facts and circumstances, then unknown to that committee, have been brought to light, demonstrating the truth of its statements and the correctness of its reasoning. With these we shall not now trouble the Senate, but refer it, for proof of our assertions, to the documents before mentioned.

The natives on the four reservations yet in the tenure of the Seneca Indians, are a remnant of the powerful confederation of the Six Nations, which, since the landing of our forefathers, have swayed the sceptre of authority over the northern part of this continent. They are nearly the last of the aboriginal race who are left east of the Mississippi, to tell the sad tale of European treachery,—of the vices and the butcheries which have reduced them to weakness and poverty. The lands they now occupy are a small residue of their once vast territories. These lands, by the authority of our Government, have been solemnly guarantied to them, to be held in peace, and without molestation, for ever, or until they shall *freely and voluntarily* relinquish the same. That time has not yet come. Out of 2,505 Indians remaining on these reservations, only 146 are consenting to remove. Their progress in civilization and the arts of life, made within a few years, have been unparalleled in any former time. The Society of Friends have long had, and still have, a settlement among them, and agents to instruct them in letters, in agriculture, and in mechanical employments. These attempts have been successful beyond our expectations, although much impeded by the unsettlement, arising from frequent efforts, on the part of the whites, to obtain possession of their lands. Were such interference entirely to cease, we have no doubt their improvement would be greatly accelerated, and the time

would be hastened when we might point to at least *one* successful experiment for the complete civilization of our native red men. Protection from such interference is all we ask from the Government; and from the honorable course it has hitherto pursued in relation to the late treaty, we hope and trust that our present application will not be in vain.

Signed on behalf of the said committees,

<p>GRIFFITH M. COOPER, <i>Genessee,</i>            ABRAHAM BELL,            DOBEL BAKER,            SAMUEL SMITH,            THOMAS CARPENTER,</p>	}	<i>New York.</i>
<p>JOHN H. BUNTING,            BENJAMIN FERRIS,            JOSEPH WARNER,            WILLIAM WHARTON,</p>	}	<i>Philadelphia.</i>
<p>P. E. THOMAS,            JACOB LAFETRA,            ISAAC TYSON,            MOSES SHEPPARD,            JOHN GILLINGHAM,            WM. E. BARTLETT,</p>	}	<i>Baltimore.</i>

WASHINGTON, *First month 29, 1840.*"

It was with the utmost surprise and grief, the committees afterwards learned, that on the 25th of the Third month, 1840, by a vote of nineteen for the treaty, together with the casting vote of Richard M. Johnson, then its speaker, against nineteen, who voted against the it, the Senate had sanctioned that document as the true and approved contract between the United States and the Seneca nation, by which, as it was alledged the Indians had fairly alineated all their lands in the State of New York to the Ogden Land Company, and had agreed to expatriate themselves from the country of their forefathers, into a dreary inhospitable and sickly wilderness; with no other prospect than a miserable existence, or the more desirable alternative, a speedy death!

As soon as the committees were informed of this decision of

the Senate, they sent a deputation again to wait on the President, to remonstrate against its ratification by him, as one branch of the treaty—making power, and to remind him of the assurance he had given us, that “if a majority of the Indian chiefs, had not fairly signed that treaty, or authorized others to sign it on their behalf, he should not think himself at liberty to ratify it.” That deputation, in fulfilling the object of their appointment, again laid before the President incontestable evidence of its fraudulent character, and urged him to withhold from it *his* sanction. In reply the President stated, that having returned the treaty with his objections to the Senate, and that body on further investigation, having ratified it, he had felt himself under an obligation to confirm it, and that he had accordingly signed it, and given orders that it should be proclaimed as the law of the land.

The delegation were under the circumstances but little prepared to expect such a result, and before they withdrew, remarked, that “with the abundant evidence furnished, exposing the very improper means by which the treaty had been procured, they could not but lament this issue. They however had the consolation to know, that Friends had done all in their power to prevent it and concluded by observing, that the whole transaction was a very objectionable one, and that history, the final arbiter of the actions of men would not fail to award to every individual, the verdict justly due to the part he may have taken in its consummation.”

Notwithstanding this decision of the Government, and considering the meagre majority by which the treaty had been carried through the Senate, the Joint Committee determined not to abandon the cause of those oppressed and injured Indians. It was known to Friends that the circumstances of the Seneca nation, and the base means used to defraud them of their lands, were not perfectly understood, by the citizens of New York, in the vicinity of the Indian reservations. Even the society we represented, we knew was very partially acquainted with the subject. The interest, of the Indians, and the character of our



country, were suffering, because facts intimately connected with both, were wholly unknown to the public at large. The only party understanding these facts, was deeply interested in keeping them secret. Whatever of injury and wrong may be found in the rulers of the land, such evils are keenly felt and reprobated by the great mass of the people, and where there is no interest in concealment, the benevolent feelings will find means of expression. Under these impressions the Joint Committees in the early part of the year 1840 determined to publish a statement of the case of the Seneca Indians, for the information of our own members—and, with the hope, that through them, at least, such information might be more generally diffused. Accordingly the 29th of the Fifth month, in that year, at a meeting held in New York, a work was produced entitled “The case of the Seneca Indians in the State of New York, illustrated by facts,” which being approved, it was ordered that a suitable number should be printed. The good effect of this work was soon felt by the committee, in the more general interest and warm sympathy manifested for the objects of our care, both within the pale of our own society, and by the public at large. The “facts” disclosed,—the shameful frauds, the “wrongs and outrages” committed against a poor suffering defenceless people, being made known, the feelings of our fellow-citizens were roused against the base conduct of their persecutors; and these feelings were made manifest ———, by increased public interest, and the expression of that interest through the numerous channels opened by the press, as well as through other means of communication.

At this same meeting information was received, that a delegation from the Seneca nation, desired an interview with Friends, to meet them at Farmington, during the week of Genesee Yearly meeting. In compliance with this desire, sixteen of our number were nominated to confer with them.

On the 17th of the Sixth month, five chiefs and two interpreters met the committee at Farmington, and after making several communications to Friends, the meeting adjourned to

assemble again the next day. On the 18th the parties again met. The late action of the Government had thrown the whole Indian nation into the utmost distress. Friends felt deeply their afflictions, but could then see nothing to advise them, except to remain peaceably at home, to till their land as usual and take care of their families. On the 19th the head or chief Sachem of the Seneca nation and several other Indians arrived. We had a meeting on that day with seven chiefs and two interpreters. They presented us with the following address from the Tonewanda tribe.

*To the members of the Committees on Indian concerns for the Religious Society of Friends about to meet at Farmington.*

BROTHERS,

We whose names are signed to this paper, belong to that portion of the Seneca nation of Indians that reside at Tonewanda.

By the help of the Great Spirit, we have met in open council this 23d day of Fifth month, 1840, for the purpose of deliberating on the right course for us to pursue under the recent act of the Government of the United States, relating to our lands.

Brothers. We are in trouble. We have been told that our land was sold. We again solicit your advice and your sympathy.

Under the accumulating difficulties and trials that now seem to surround us, we feel more than ever our need of the help of the Great and Good Spirit to guide us aright. May his counsel ever guide and direct us all in true wisdom. It is known to you, brothers, that at different times our nation has been induced to cede by stipulated treaty to the United States, various tracts of our territory, until it is now so small that it only affords us a home.

We hoped by those liberal concessions to secure the quiet and unmolested occupancy of this small residue. But we have abundant reason to fear that we have been mistaken.

The Agent and Surveyor of a company of land speculators, known as the "Ogden Company," have been on here, to lay out our land, for the purpose of selling it off. We have protested against their proceeding, and have forbid them until after a general council to be held at Buffalo in four days.

Brothers. What we want is that you should intercede with the United States Government in our behalf. We want you to know, and we want the government and people of the United States to know, in the first place, that we have never signed a treaty to give up our lands.

That of the six hundred Indians who compose this tribe, *one* Indian only has signed it, and he resides at Buffalo.

That this *treaty*, which we are told has been ratified by President Van Buren, we know and are sure is a fraudulent one.

That Ransom H. Gillet, the government's agent, violated the good faith of the government and a law respecting the ratification of treaties, by applying to Indians at their houses, some of them upon their sick beds; also on the highways and at taverns, and offering them money if they would sign said treaty.

That in the general council convened at Buffalo, for the express purpose of considering this treaty, sixteen chiefs only were in favor of signing it, and sixty-four were decidedly opposed to it.

That Jimmy Johnson, the head chief of the Seneca nation, never signed that treaty, and the putting of his name to the treaty, whether by the agent or some one else, was a forgery.

Brothers. We want the President to know that we are for peace, and that we only ask the possession of our rights.

True we are small in number, but we only ask for justice. We want to be allowed to live on our land in peace. *We love Tonewanda*. We have no wish to leave it. It is the residue of the land of our fathers. Here we wish to lay our bones in peace.

Will our brothers inform us whether General Dearborn in signing this treaty, intended that all the lands belonging to this nation were included in it, or only the lands belonging to those

that signed it; we are willing that the emigration party should sell their land, but we are not willing that they should sell ours.

Will our brothers also inform us whether the Governor of Massachusetts has ever signed this treaty.

Brothers. We are determed to keep our lands till our friends send us information and advice, which we want immediately. We want the surveyors to be kept from our land.

Brothers. In conclusion we thank you for your friendly assistance heretofore, and earnestly solicit your further advice and assistance.

Signed.

JOHN LUKE, formerly head chief,	his x mark.
JOHN BLACKSMITH, chief,	his x mark.
JIMMY JOHNSON, present head chief,	his x mark.
BLUE SKY, chief,	his x mark.
BLACK CHIEF, chief,	his x mark.
JOHN SKY, chief,	his x mark.
JESSE TIFFINY, chief,	his x mark.
JOHN BIGFIRE, chief,	his x mark.
WM. WASHINGTON, chief,	his x mark.
LEWIS POODRY, chief,	his x mark.
SAMUEL PARKER, chief,	his x mark.
WILLIAM JAMES, chief,	his x mark.
ISAAC SHANKS, chief,	his x mark.
DANIEL SPRING, chief,	his x mark.
JESSE SPRING, chief,	his x mark.
LEWIS KENEDY, chief,	his x mark.

THOMAS JEMISON,	} Interpreters.
WILLIAM CLINT,	

ASA CARRINGTON,	} Witnesses.
STEPHEN ATWATER,	

The foregoing appeal to the committee, being deliberately considered, the following address to the Seneca nation was agreed on, and was read and interpreted to the chiefs then present.

*To the Seneca Nation of Indians in the State of New York.*

BROTHERS,

At our meeting the day before yesterday with the delegates of the Seneca nation, they informed us that they wished to have our advice in relation to their present distressing circumstances.

Brothers. The friends you see before you, are a delegation from the four Yearly Meetings of Genesee, New York, Philadelphia, and Baltimore. Many of us have travelled several hundred miles to come and see you, and to talk with you, and to confer together, with prayer, that the *Great Spirit* might give us wisdom, and light, that we might find out, and see plainly, the right path for us and you to walk in.

Brothers. We have considered your request that we would give you council and advice. We have looked all around us for a right way, and a safe path for the *Indians* to walk in, and we now give you our advice. You say that the Seneca nation has not sold its lands. You assure us that the treaty lately ratified by the Senate of the United States, was not executed according to the conditions solemnly adopted and prescribed by that body. You say that it was not signed by a majority of your lawful chiefs. You have told us that many who did sign it, were bribed by large sums of money, to induce them thus to act, contrary to the will of your people; you also tell us that some of the names signed to the treaty are forgeries; and that under these circumstances you are not willing to leave your lands, which the *Great Spirit* gave you, and which the Government of the United States, by treaties with your people, have assured to you in the most solemn manner.

Brothers. We have understood that notwithstanding all that you say, and which we believe to be true, the Senate of the United States has ratified the treaty, and that the President has proclaimed it as the law of the land.

Brothers. We cannot advise you to resist by force, even an unjust decree. To do so would be wrong. That path is a

bloody path, it is strewed with the dead and the dying. The Great Spirit leads none of his children in that path.

Brothers, listen. The Great Spirit loves quiet, peaceful children, and when they walk in his path, he is always near them—he hears all their crying—he sees all their afflictions and distress, and in his own time, which is the best time, he sends them relief in his own way, which is the best way.

Brothers. We think it best for you, at this time, to remain peaceably and quietly on your land, keep as much as possible at your homes, till your ground, take care of your stock, provide for your families—let your children be taught useful learning—As much as possible live peaceably with all men.

Brothers. The Society of Friends have felt much sympathy with your people,—we have heard with great pain of the wrongs and injuries which have been heaped upon you. We have seen your tears, and we have wept for you. We have remembered the kindness of your fathers to our fathers when you were a strong people, and we were few in number, and very weak: and we now wish to do all we can to help you. We have at this time concluded to address the Governor of Massachusetts, the Governor of New York, and the House of Representatives of the United States, on your behalf.

Brothers. We now bid you farewell: and in doing so, we wish to inform you that, we will not forget our red bretheren, but intend, with the help of the Great Spirit, to continue our efforts to aid them, and to promote their present and future welfare

Signed by the delegates from the committees of the four Yearly Meetings aforesaid,

DOBEL BAKER,  
WILLIAM WHARTON,  
BENJ. FERRIS,  
GEORGE M. JUSTICE.  
JOSEPH WARNER,  
PHILIP E. THOMAS,  
JNO. GILLINGHAM.

GRIFFITH M. COOPER,  
WM. S. BURLING,  
ABM. BELL,  
NATHANIEL STARBUCK,  
RACHEL HICKS, Jr.  
MARIA FARRINGTON,  
DOROTHY GOLDEN,  
DEBORAH WHARTON,

*Farmington, N. Y., Sixth month 19, 1840,*

Having in the foregoing communication expressed to the Indians our intention of addressing the Governors of New York and Massachusetts, and memorializing the House of Representatives of the United States, on their behalf, and sub-committees having been appointed for that purpose, the following documents were prepared, which they were requested to present, in conformity with the conclusion of the joint committees.

*Memoranda for the use of the Committee appointed to wait on the Governor of the State of New York.*

The committee to wait on the Governor of New York, are desired to represent to him the distressed situation of the Indians, and earnestly to invoke his interposition for their relief, as far as he can constitutionally exercise his authority. They will also represent to him that, as under the treaty, the Indians have five years allowed them to depart, they certainly should, during that time remain unmolested; yet already they are harassed by injunctions interrupting their business, and disturbed by surveyors running lines over their lands, and dividing it off into lots. Amongst other instances of vexatious annoyance, one of their most respectable chiefs has been interrupted from completing an improvement he was making on his own house.

These proceedings naturally keep them in a state of aggravated excitement, and may lead to violence. It is supposed that as the State of Massachusetts did, in the agreement made relating to these lands, now occupied by the Indians, acknowledge that the absolute right of sovereignty and jurisdiction over them, was in the State of New York, its executive authority has the legal power to extend to the Indians, the same protection that is accorded to the inhabitants of any other part of the State.

And the Governor's attention is requested to the deed of sale—that he may consider whether the Tuscaroras can convey their lands, purchased with their own money, without the consent of the Government of New York; and whether a fraudu-

lent deed, obtained of the Senecas, may not be set aside, the fraud being proved.

*To the Governor and Council of the State of Massachusetts, the Memorial of the Subscribers, on behalf of the Joint Committees of the Four Yearly Meetings of Friends of Genessee, New York, Philadelphia, and Baltimore, respectfully represent that,*

When the agreement or compromise was concluded, in the year 1786, between the States of New York and Massachusetts, in relation to their respective claims to certain lands in the former State, the worthy Representatives of the latter, most benevolently provided, that no purchase of those lands, or any part of them, from the Indians, should be valid "unless the same shall be made in the presence of, and approved by, a Superintendent, to be appointed for such purpose, by the Commonwealth of Massachusetts, having no interests in such purchase, and be confirmed by the Commonwealth of Massachusetts."

Thus, at the time, and by the instrument of agreement, in which Massachusetts parted with her right of sovereignty over the Indian lands, she expressly reserved to herself a right to guard and protect the poor unlettered natives, from the arts and the frauds of those who might be disposed to wrong them. This right to guard and protect the weak and defenceless aborigines, she has, with a laudable zeal, constantly claimed and most benevolently exercised from that time to the present.

When the deeds of sale from the Seneca and Tuscarora Indians, to Ogden & Fellows, bearing date January 15th, 1838, were sanctioned by the Governor and Council of Massachusetts, it was not known to them that these contracts were obtained by unfair means, or, it is fair to conclude, that they would never have sanctioned them.

The Indians charge the other parties to these contracts with bribery, menace, forgery and falsehood, and so strong and ample have been the proofs adduced to support these charges,



that the late Committee of the Senate of the United States, in their report to that body in the early part of the present year, unanimously recommended the rejection of the treaty,—(Proceedings of Senate, March 5th, 1840.)

The President of the United States, in his Message to the Senate, dated January 13, 1840, returning again the treaty to that body, declares that “the provision of the resolution of the Senate of the 11th of June, 1838, requiring the assent of each of the said tribes of Indians to the amended treaty, to be given *in council*, and which *was also made a condition*, precedent to the recommendation to me of the Senate, of the 2d of March, 1839, to carry the same into effect, has not therefore been complied with.” The President, in the same Message, also declares, that in a council held with the Indians last summer by the Secretary of War, “no advance towards obtaining the assent of the Seneca tribe, to the amended treaty, was made, nor can the assent of a majority of them in council, be now obtained.” In allusion to the charge of bribery, the President says “That improper means have been employed (to obtain the assent of the Seneca chiefs to the amended treaty) there is every reason to believe; and I have not been able to satisfy myself that I can, consistently with the resolution of the Senate, of the 2d of March, 1839, cause the treaty to be carried into effect, in respect to the Seneca tribe.”

Had all the circumstances of fraud and unfairness been developed to the Governor and Council of Massachusetts which have since come to light, it is presumed that as the lawful guardians of those Indians, the deeds conveying their lands would not have been sanctioned.

That the assent to the amended treaty was to have been given in council, is clear from the plain words of the Senate's resolution of June 11th, 1838, and in the deed which was sanctioned as aforesaid, it is declared, that the treaty was held in council, and that then the chiefs and head men on behalf of the Seneca nation did agree to sell. Whereas it has since been discovered, that the deed was not agreed to

in council, and it has been ascertained by two several censuses, that not one-fifteenth part of the nation are in favor of the sale. The truth is, that neither the treaty nor the deeds have been legally or fairly obtained.

The treaty of January 15, 1838, and the deeds before alluded to, bearing the same date, were originally connected together, and formed together one great plan for removing the Indians out of the State of New York. The treaty provided a home for them beyond the Mississippi: the deeds provided for the relinquishment of their lands to the Ogden Land Company. Thus connected, Massachusetts ratified the deeds. But afterwards the treaty and the contracts of sale were submitted to the Senate; and that body found the treaty so defective that they refused to ratify it, and afterwards so thoroughly changed it, that in the language of the distinguished Senator, then Chairman of the Indian committee, "they made nearly a new treaty of it."

The Senate then adopted a resolution declaring, that the treaty, as amended, should have no force or effect. Nor should it be understood that the Senate had consented to any of the contracts connected with it, "meaning the deeds which had been before ratified by Massachusetts," until the same had been submitted and fully and fairly explained to each of said tribes or bands separately assembled in council, and they had given their free and voluntary assent thereto."

In pursuance of this resolution, the treaty was afterwards submitted to the Indians in council, and after being explained, only 16 out of 81 chiefs would sign it; but more than 60 of them, in presence of the Commissioner from Massachusetts, signed a formal dissent and protest against it, which was witnessed by General Dearborn.

The deeds of conveyance, or contracts as they are called, were never afterwards laid before the Indians, as directed by the Senate. Nor was an assent to them as connected with the amended Treaty, ever obtained by the Seneca Nation: so that

the sanction of Massachusetts was never given to a sale of the Indian Lands under the amended treaty; which we think is essential to the validity of the sale, and which we also think Massachusetts, as the undoubted guardian of that people against all fraudulent transfers of their land, has a right to demand. Massachusetts might very consistently sanction a deed of sale connected with the provisions of *one treaty*, which she might very properly reject connected with a Treaty of a different character. Governor Everett, in this view of the subject, declared, that "unless the amendments made to the treaty, and which had changed its character, were assented to by the Indians, he should consider the contracts for the sale of their right of possession null and void."

We therefore respectfully ask of the Governor and Council of the State of Massachusetts, that they would take the subject into their solemn consideration, and take such measures in the case, as they in their wisdom may deem expedient, and as the guardians of the Indians as aforesaid, they consider their duty demands.

Signed on behalf of the said committees.

BENJ. FERRIS,  
ABM. BELL,  
AMOS WILLETS.

*New York, Sixth month 25th, 1840.*

The Joint Committees seeing no prospect of arresting the threatened destruction of the Seneca nation, by any interference of the Executive or Senate of the United States, had concluded to appeal to the House of Representatives, and request that body to withhold the appropriations necessary to carry into effect the objectionable treaty. The following memorial being prepared, was presented to the House. It received its respectful attention, was ordered to be printed, and in conformity with our petition no appropriation was made.

*To the House of Representatives of the United States,*

The memorial of the several committees on Indian concerns, appointed by the four Yearly Meetings of Friends of Genessee, New York, Philadelphia, and Baltimore, respectfully represents,

That the Society of Friends, from a religious concern for the welfare of the Indians in the State of New York, have for many years been engaged in promoting their civilization and improvement. Under this concern we have had establishments among them, and agents residing on some of their Reservations, to instruct them in agriculture, and other arts of civilized life. It is by their desire we now solicit your attention.

These Reservations being the small remnants of their once extensive territory, were by a treaty, made between the Six Nations and our Government, in the year 1794, solemnly guaranteed to them and their descendants, as a home and inheritance for ever.

As the white population of our country extended their settlements towards these Reservations, they became enhanced in value,<sup>3</sup> exciting the cupidity of land speculators, and urging them by various means to remove the Indians, in order to possess themselves of their lands.

Alarmed and agitated by these movements, the Seneca and Onondaga Indians, applied to our government for its interposition and protection, in fulfilment of the guaranty stipulated in the said recited treaty. Faithful to its contract, and prompt in the performance of it, a proclamation was immediately issued by the authority of the President of the United States, under the hand of H. Dearborn, then Secretary of War, dated March 17th, 1802, strictly forbidding all persons, citizens of the United States, to disturb the said Indians in the quiet possession of their lands. And declaring that "all lands claimed by and secured to the said Seneca and Onondaga Indians, by treaty, convention, deed of conveyance or reservation, being within the limits of the United States, shall be and remain the property of the said Seneca and Onondaga Indians for ever, unless they shall voluntarily relinquish or dispose of the same,"

Within the last ten years attempts have been renewed, and strenuous exertions made, to get possession of these lands. For this purpose no means which ingenuity could devise, or large pecuniary resources and untiring perseverance accomplish, have been unessayed. Under the operation of such powerful agents, a treaty has been procured, and executed, under circumstances which we think ought to claim the serious attention of our Representatives in Congress. *That* treaty, we most surely believe, is tainted with *fraud*; and if carried into effect, will be, not only extremely oppressive to the poor defenceless Indians, but injurious to the character of our country.

The President of the United States, in his recent message to the Senate, dated January 13th, 1840, returning this same treaty to that body, says, "that *improper means* have been employed to obtain the assent of the Seneca chiefs, *there is every reason to believe*, and I have not been able to satisfy myself, that I can, consistently with the resolution of the Senate of the 2d of March, 1839, cause the treaty to be carried into effect, in respect to the Seneca tribe."

The committee of the Senate on Indian affairs, after a long and laborious investigation of the evidence before them, and of the facts and circumstances connected with the treaty, reported, it is understood, unanimously, against its ratification, on the ground that *it had not been assented to by the said Indians, according to the terms of the resolution of the 11th of June, 1838.*

The Senate finally ratified it, by the casting vote of the Speaker, in a thin house, only nineteen members voting in its favor.

Although we believe there is ample evidence to prove the *fraudulent* character of this treaty, and that its execution will be grossly unjust and oppressive to the Seneca nation, yet it is far from our intention to throw the least censure on the Senate, or on any of its members. We are aware that the effects of testimony on the minds of men of unquestioned integrity, are very different; our object in soliciting the attention of the

House to the subject, is not to censure, but that the evidence in the case may be examined by your branch of the Legislature.

By the Constitution of the United States, the treaty-making power is vested in the President and Senate. By the same constitution, no money can be drawn from the treasury but by appropriations made by law, and no law can be passed without the concurrence of both branches of the Legislature. Thus, over all treaties made by the President and Senate, the House of Representatives has a control, by the power it possesses under the Constitution of withholding the means to carry such treaties into effect. If, on an investigation of the treaty in question, and the circumstances attending its execution, the House shall be satisfied that it was *not fairly obtained*; if it shall believe that to enforce it would be derogatory to the character of our country, as an honorable, just, and upright nation, it may refuse to grant the supplies necessary to carry it into effect, and thus save the country from the odium which must attach to any government that deliberately does wrong.

There is one feature in the character of this negotiation with the New York Indians, which we think ought to claim the particular attention of your body, as *the guardians of the public treasure*. By that treaty four hundred thousand dollars of the *public* money and one million eight hundred and twenty-four thousand acres of the *public* lands, are to be given to the New York Indians, as an inducement to relinquish their possessions in the State of New York, *for the benefit of the Ogden Land Company*.

To your memorialists it appears that under this treaty, the Government gives away a vast amount of property, without any equivalent! It may well be asked, What advantage can accrue to the public from the removal of the New York Indians? As it regards *the people* of the United States, under whose authority the treaty is said to be made, and from whose resources the means to carry it into effect are to be drawn, it may safely be answered, *none*. In a national point of view, it is a matter of perfect indifference whether the New York

Indians remove or do not remove! Why then should our representatives appropriate such a vast amount of money and property to an object, *in which the community has no interest?*

We forbear to go further into the merits of the case. We would not unnecessarily take up the time of the House. We only ask for a thorough investigation of the subject, and that, if after such investigation it should appear that the treaty cannot be carried into effect, without injustice to an unoffending people, and an improper expenditure of the *public treasure*, the House may refuse to make any appropriation for that purpose.

Signed on behalf of the said committees, .

BENJ. FERRIS, *Clerk.*

*Seventh month 8th, 1840.*

The committee appointed to prepare a memorial to the House of Representatives, believed it right at the same time to address a letter to the President of the United States, which they did, a copy of which is as follows, to wit:

*To Martin Van Buren, President of the United States:*

Under the circumstances in which the Society of Friends, who for many years past had extended aid to the Indian natives residing in the western part of the state of New York, now find themselves placed, both as regards their existing relations with these Indians and their position towards the general government, the undersigned, on behalf of the committee who heretofore addressed the President of the United States, deem it respectful to the President fully to acquaint him with the measures taken by Friends in reference to these people, since the amended treaty with them was declared by the Senate to have been ratified, and has been proclaimed.

On the annunciation to the Indians of this result, consternation and gloom were every where spread over their villages. Relying upon the protection of the government and the justice of their cause, they were not, after the disclosures that had been made of means employed to obtain that treaty, prepared

for the issue, and, on being apprised of it, they manifested the deepest distress. In the pathetic language of one of their chiefs, addressed to us, "their women were seen on all sides weeping in their houses, along the roads as they passed to their occupations, and in the fields whilst employed in their labors."

As soon as they had time for reflection, a general council was called for the purpose of taking into consideration their situation, and, after much deliberation, they come, as we have been informed, to the conclusion, whatever might be the consequences, that they would in no event voluntarily remove to the country allotted for them west of the Mississippi, and that, if driven off by violence, they should accept the invitation they had received to join their friends in Canada, and remove there.

Before dissolving the council, they agreed again to memorialize the executive of Massachusetts, and also of New York, and to petition Congress with the view of once more stating their grievances, and imploring relief so far as either of those authorities might yet be able and disposed to extend protection to them. They also solicited an interview with Friends, which was granted to them, and several of their chiefs, by arrangement, met our committee at Farmington, in the state of New York, on the seventeenth of last month, when, after making a full and unreserved disclosure to us of their present difficulties and purposes, they earnestly solicited our assistance and advice.

On this occasion they reiterated their statements in regard to the means that had been taken to inveigle them out of their lands, their objections against removing to the country that had been designated for their residence beyond the river Mississippi—their intention never to abandon their present homes unless compelled by force to do so, and their conclusion, should this be done, to retire into Canada, and join their nation there.

The committee, after due consideration of the objections urged by the Indians to removing upon the lands that had been appropriated for them in the west, believing, as they did, that



these objections were well founded, could not advise them to go there, and for many grave reasons could not recommend them to go into Canada; they therefore declined advising them to do either the one or the other, and addressed to them the following communication in reply to their application to us. [See address, pages 48, &c.]

The committee are sensible of, and duly appreciate the very respectful attention which their applications to the President on behalf of these Indians have been received, and they feel it to be due to the President to give him such information as they possess, and a full statement of the part taken by them in regard to this matter. They have witnessed the heart-rending distress of these greatly wronged people, and have sympathised in their afflictions, and under an apprehension that it was their duty to assist them, they have extended such aid as they were enabled to afford them, consistently with our well known pacific and non-resisting principles. Under these views and impressions, the Society of Friends have faithfully made known their case to those who had the power to protect and to do them justice; whatever, therefore, may be the consequences of the measures that have, or may hereafter be pursued towards these injured people, the committee trust that the responsibility may not attach to us.

The condition of this small remnant of a once numerous and powerful nation is calculated to awaken the commiseration of every benevolent mind—after being hunted down and oppressed, as the race has been from generation to generation, they now find themselves about to be dispossessed of the last pittance of their once widely extended domain, and driven into a distant country, which they fully believe is altogether unsuited to their condition and habits, and where they apprehend that poverty, disease and misery await them. Many seem to desire that death would at once terminate their sufferings, rather than that they should, by a compulsory removal, be forced into a barbarous and remote country where they must sink under the lingering miseries which they believe will there follow them.

Under these circumstances, it is most respectfully suggested to the President whether, instead of forcing them to a place against which they feel such strong objections, or perhaps driving them into a neighboring colony, where, under some circumstances, they might become very dangerous neighbors, it would not be best, if these people must be removed, to allow them to select for themselves, from the vast unoccupied territories of the United States, a residence to which they could be induced voluntarily to emigrate, and where they might reasonably hope to obtain a subsistence, and remain unmolested under the protection of the United States, and be accessible to their friends, who would desire to extend assistance to them. Should they be able to find such a country, and be permitted to go there, the committee doubt not but that their friends would afford their co-operation in effecting so desirable a purpose.

Signed on behalf of the said committee,

PHILIP E. THOMAS,  
BENJ. FERRIS.

*Wilmington, Seventh month 7, 1840.*

Hitherto, all the exertions of the joint committees, to save the Indians, had been made during the administration of Martin Van Buren, when it became ascertained in the latter part of the year 1840, that there would be a change in the executive of the United States, a hope was entertained, that this change of the administration, would produce a change of measures, if not a change of policy, in relation to the aborigines of our country. It was during the administration of Martin Van Buren that all the corrupt measures herein referred to were instituted, to drive the Seneca Indians from their reservations. It was under that administration that the treaty of 1838, obtained by bribery, forgery, and other frauds, was got up, and brought into the Senate. It was under that administration that the "amended treaty" was ratified and proclaimed as the law of the land, after the most decisive evidence of its grossly

fraudulent character, had been laid before the Senate, and the President of the United States, and were not denied or controverted. Many of our fellow-citizens entertained a belief that the President elect held more just and liberal views, in relation to the Indian population of our country, than had guided his predecessor; and the joint committees, anxious to omit no exertion, and to lose no opportunity for the relief of our Indian brethren, thought it right to make an early application to the new administration in their favor. A committee was accordingly appointed to proceed to the Seat of Government, in order to ascertain, as far as possible, the views and feelings of the new cabinet, in regard to our concern. Several of the most active and prominent men at that period were consulted on the occasion,—men who well understood the subject—who felt a deep interest in it, and who were likely to be placed in situations to aid in the promotion of our cause. Of the benevolent feelings and high sense of justice, entertained by the new President we were fully assured; and we were further informed, that, on the organization of the new administration, we might rely with confidence on its co-operation, in every measure the law would authorize for the relief of the Seneca Indians.

The death of the President occurred very soon afterwards. Although this circumstance brought a cloud over our prospects, the committee determined to persevere in its application for relief, to the new administration. The following memorial addressed to John Tyler, President of the United States, was prepared, and a delegation appointed to present it to him.

*To the President of the United States.*

The memorial of the Committees of the four Yearly meetings of Friends of Genessee, New York, Philadelphia, and Baltimore, appointed by those meetings on Indian concerns,

**RESPECTFULLY REPRESENTS :**

That during the last session of Congress, the said committees appealed to the President of the United States, and to both branches of the National Legislature on behalf of the Seneca

Indians in the State of New York. The distressed situation of that people induces us again to appeal to the Government of our country for their relief.

A treaty of these Indians, said to have been concluded at Buffalo Creek, on the 15th of January, 1838, by Ransom H. Gillet, a commissioner on the part of the United States, and the chiefs, headmen, and warriors of the several tribes of New York Indians, assembled in Council, was laid before the Senate in the early part of that year, and by that body referred to its Committee on Indian affairs. It was thoroughly examined by that committee, and unanimously rejected.

The Committee then modelled another treaty, since called "the amended treaty." and the Senate, to guard against future frauds, adopted a resolution, dated June 11, 1838, in which they say, "the treaty shall have no force or effect whatever, as it relates to any of the said tribes, nations, or bands of New York Indians, nor shall it be understood that the Senate have assented to any of the contracts; (meaning the Deeds of Conveyance,) connected with it, until the same, with the amendments herein proposed, is submitted, and fully, and fairly explained by a Commissioner of the United States, to each of said tribes or bands, separately assembled in Council, and they have given their free and voluntary assent thereto. And if one or more of said tribes or bands, when consulted as aforesaid, shall freely assent to said treaty as amended, and to their contract (or Deed of Conveyance) connected therewith, it shall be binding and obligatory, &c.

With the conditions thus plainly expressed by the Senate, the commissioner appointed on this occasion, did but partially comply: those of the most importance to the Indians were wholly disregarded.

In the summer of 1838, the commissioner held a Council with the Seneca Indians, at Buffalo Creek; the treaty was explained, and after a long and protracted session of more than forty days, giving full time for deliberation, the treaty was re-

jected by an overwhelming majority of the chiefs; sixteen only, being in favor of it, and more than sixty against it.

We will not, on the present occasion, describe the clandestine manner in which the commissioner afterwards proceeded to obtain signatures to the treaty, in wigwams, taverns, and private houses; nor go into an exposition of the *bribery, threats, misrepresentations*, and other corrupt means used to procure the assent of the Seneca chiefs to that instrument. Documents of an authentic character in the Indian Department at Washington, or in possession of the undersigned, will amply illustrate these charges, and prove their truth. It will suffice at present, to say, that with all these means, a majority of the chiefs never were induced to sign it. Out of eighty-one chiefs, acknowledged as such, by both parties, only sixteen put their names to it *in council*, and thirteen afterwards; making in the whole, twenty-nine. The other signatures were the names of Indians, who either were not chiefs, or who never signed the assent, or authorised others to sign on their behalf.

The treaty thus executed, was again sent to the Senate. That body, after hearing testimony on both sides of the question, and not being satisfied of the validity of its execution, returned it to the President, with a resolution dated March 2d, 1839, stating, that whenever the President should be satisfied that the assent of the Seneca tribe of Indians had been given to the amended treaty, according to the true intent and meaning of the resolution of the Senate of June 11, 1838, "the Senate recommends that the President make proclamation of said treaty, and carry the same into effect."

In the summer of 1839, the President, in order to obtain satisfaction on the subject, despatched the Secretary of War to the Seneca nation. A council was called, and held at Cattaraugus, but nothing was done calculated to satisfy the President, or remove his doubts. On the contrary, a more decided opposition to the treaty and its objects, was manifested by the Indians, in consequence of which, the President declined to use

the power conferred on him, to proclaim the treaty, and on the 18th of the First month, (January,) 1840, returned it to the Senate. In his message on that occasion, he very distinctly declared that the resolution of the Senate of the 11th of June, 1838, did require that the assent of the Indians to the amended treaty, should be given *in council*,—that such assent had not been so given,—that no advance towards obtaining it *in council* had been made, and that the assent of a majority of them in council could not be obtained. As it regards the charge of **BRIBERY**, the President says “that *improper means* have been employed to obtain the assent of the Seneca chiefs, *there is every reason to believe*, and I have not been able to satisfy myself that I can, consistently with the resolution of the Senate of the 2d of March, 1839, cause the treaty to be carried into effect.”

Under this impression, the President returned the amended treaty to the Senate. It was sent back because it had not been executed according to the conditions which had been prescribed by the Senate itself. Notwithstanding these circumstances, that body, by a resolution dated March 25, 1840, declared that “in the opinion of the Senate, the treaty with the Seneca Indians had been satisfactorily acceded to,” and that “the President is authorized to proclaim it as in full force and operation.” The vote on this resolution was taken when many of the members were absent. On the final question being put, it appeared that the Senate was equally divided, nineteen voting in favor, and nineteen against the ratification. The question was settled by *the casting vote* of the Vice President in its favor.

Since this act of the Senate, circumstances have occurred, confirming the unfavorable views we had taken of that treaty, and the means by which the parties interested in driving the Indians from their lands, had taken to secure their object. The Government of Massachusetts, in the compact between that state, and the State of New York, made in the year 1786, relating to the pre-emptive right to Indian lands, in the latter state, was vested with a supervisory control over all future

sales of these lands, to be made by the Six Nations. During the past year, the Governor and Council of Massachusetts by memorials from the Seneca Indians, and from the bodies we represent, were induced to take up the subject. A committee of the Council was appointed, who after a close and searching investigation of the circumstances relating to the origin, progress, and alledged execution of the treaty, and "the contracts" or Deeds of Conveyance connected with it, made a detailed and able report on the subject, which has been adopted by the council, and approved by the Governor. In that report they say: "*If the Governor and Council of Massachusetts, in 1839, had known all that had occurred in this unhappy business, even when the Deed was presented for their approbation, we are confident they would not have approved it. But they did not then know that a very large majority of the Seneca nation was strongly opposed to a sale of their lands; nor that the signatures of several of the chiefs had been obtained by BRIBERY.*" We herewith present to the President a copy of that report.

We do solemnly believe that a just regard to the honor and good faith of the country requires a reconsideration of this treaty, by the constituted authorities of the government. In them we hope there is a power to prevent future injuries, and to redress the wrongs already inflicted on an inoffensive and suffering people. And although for the performance of a plain act of justice, a *precedent* ought not to be deemed requisite, yet, for the course we now respectfully suggest, a very clear precedent is, as we understand, to be found in the recent acts of our own government. During the administration of President Monroe a treaty with the Creek nation, said to have been made at "the Indian Springs," was submitted to the Senate, professing to have been duly and fairly executed. Under this aspect of the concern it was ratified by that branch of the treaty making power, and duly proclaimed by the President as the law of the land. Subsequently it was discovered to have been obtained by fraud and executed by only a minority of the chiefs; in both these respects resembling the treaty, to which

we would now draw the attention of the government. Upon being satisfied of these facts, President Adams, at the succeeding session of the Legislature, returned it to the Senate with his views of its character, whereupon it was declared null and void.

In addition to the reasons already suggested for pursuing a similar course on the present occasion, it is deemed proper to state to the President, that in the opinion of many distinguished legal characters, the ratification of the Seneca treaty by the Senate, in manner aforesaid, was not in conformity with the requisitions of the Constitution, which seems expressly to require the concurrence of *two-thirds* of the members present to make a treaty valid. In case of the Seneca treaty, as we have before stated, the Senate was equally divided, and it required the *casting vote* of the Vice President to decide the question.

We, therefore, cannot but hope that under the present administration of the government, coming to the consideration of the question from any former bias, the Seneca nation may find that justice, which has hitherto been withheld from them, and our beloved country preserved from a stain on its character which every upright and honorable citizen must sincerely deprecate.

Signed on behalf of said committees,

BENJ. FERRIS, *Clerk.*

*Washington, Sixth month 8th, 1840.*

At the same time the Indians, moving in their own cause, presented to the President the following clear and well written memorial. It contains a brief but lucid statement of their case, and, as the reader will perceive, was, like our own, written at a time, when we yet entertained a hope, that the power vested by the Constitution of the United States in the President and Senate, to *make treaties*, was sufficient to *annul them*, when palpably tainted by fraud. This hope was probably well founded in cases where by the treaty *no rights of property had been vested in a third party*. By the treaty now sought to be annulled



the Ogden Company had become *legally* possessed of a vast real estate, which, our ablest legal advisers assured us, could not be taken from them, by any legislative act. It was this circumstance that turned our attention from the *treaty making* power, to the only other resource, the spirit of *compromise*.

*A Memorial of the Seneca Indians to the President of the United States.*

The undersigned Chiefs of the Seneca nation of Indians residing in the western parts of New York, would respectfully call your attention to the peculiar circumstances of our relation to the government and people of the U. States. It is well known that, by former treaties, the full enjoyment of our rights and privileges, within the territories of the U. States, the protection of the government over our persons and property, and the right of our soil, within certain defined limits, was guaranteed to us for ever. We have strictly and, so far as we are able to judge, honorably fulfilled, on our part, the conditions of those treaties. But an attempt has been made to deprive us of the advantages therein secured to us, by forcing upon us, against our will, a new treaty, requiring us to emigrate beyond the Mississippi.

From the beginning of the negotiations, a very large majority, at least *fourteen-fifteenths* of the Seneca nation, have been opposed to this new treaty, and still remain so. We have, however, sought to carry on our opposition simply by making known to the government of the United States the facts in the case, relying on the justice and integrity of the government to deliver us from the evil sought to be inflicted on us. This we were enabled to do so effectually that the Senate's Committee on Indian affairs, after a patient and thorough investigation, pronounced the treaty fraudulent, and recommended its rejection. The President also distinctly informed the Senate that "no inducement could prevail on the majority of our chiefs to give their assent to it *in council*, and that there was too much reason for believing "that improper measures had been em-

ployed to effect it." Still, notwithstanding these things, the question of ratification having been taken in the absence of many of the Senators, was decided by the casting vote of the Vice President, Johnson, in the affirmative; and President Van Buren, although he had a little before informed the Senate of its injustice, immediately proclaimed it as the law of the land, notwithstanding the constitution of the United States requires the vote of *two-thirds* of the Senators present for the ratification of any treaty during the session of Congress.

We have the opinion of many distinguished jurists, and some of them eminent Senators, that the ratification was in direct violation of the constitution, as well as of the principles established by the government for treating with Indian nations. Besides, the Governor and Council of Massachusetts, a sort of third party, if not to the treaty, at least to the deed of sale of our lands, connected with it, have, after a minute investigation, unanimously reported the whole proceeding to be unjust and fraudulent.

Many members of the House of Representatives have also expressed similar opinions, and assured us of their desire that the whole subject might undergo a thorough and careful revision, and that the vote authorizing the President to proclaim the treaty, might be reconsidered in the Senate.

A large number of citizens of western New York, and many of our friends in other places, impelled by regard for justice, have petitioned Congress not to make any appropriation to carry the treaty into effect, until a re-investigation should be made by the Senate; and we are encouraged by the fact, that whenever our wrongs are understood by the people of the United States, the kindest sympathy is manifested in our behalf.

At the opening of the last session of Congress, a memorial was presented to Mr. Van Buren, requesting him to bring the subject before the Senate for reconsideration, but he utterly refused to comply with our request. A delegation of our chiefs waited on your lamented predecessor soon after his inauguration, and others of our friends recommended our case to

his notice ; and we received from him assurances that, at the proper time, the subject should come up for reconsideration. God, in his inscrutable but righteous providence, has removed him, at the very commencement of those efforts at reform which lay near his heart, and which the voice of your great nation so imperatively demanded, and now our hopes of redress hang, under God, upon him on whom devolve the arduous duties and responsibilities from which he was so early and so suddenly released.

We are ignorant of your views respecting our case. Indeed, we know not that it has ever been properly presented to your notice ; we have, therefore, assembled in council, and resolved to address you this memorial, which we have requested the agent of the War Department, Griffith M. Cooper, to present to you, with the respects of the Seneca nation.

We most earnestly and respectfully request you to present the subject to the Senate, at the earliest opportunity, for the purpose of obtaining a reconsideration of the resolution authorizing the President to proclaim the treaty.

We ask this for the following; among other reasons :—

1st. As already stated, we are informed by some of the most distinguished men in the country, and believe that, that act of the Senate was unconstitutional.

2. The amended treaty has never been lawfully ratified by the constituted authorities of the Seneca nation, only sixteen out of more than eighty chiefs having signed their assent in open council, while more than sixty signed their dissent and protest before they left the council house.

3d. More than fourteen-fifteenths of our people are, and always have been, opposed to the sale of our lands.

4th. Improper and very corrupt means have been employed to obtain the assent of our chiefs. Clandestine manoeuvring, threats, liquor, bribes, misrepresentations, the withholding our annuities, or appropriating them without our consent or knowledge to the purposes of the emigrating party, were some of the means used for affecting their designs against us.

5th. When, by the use of such means, it was found impossible to eke out a majority, even though those operated on were allowed to sign in taverns, and in the darkness of midnight, our people, and the government of the United States, were imposed upon by the clandestine attempt to create new chiefs, at a private house in Buffalo city, and, on the strength of this mock election, the signatures of these men were appended to the assent to the amended treaty, and constituted the pretence for a majority, on which the Senate voted the proclamation of the treaty.

6th. Because it will be the destruction of our people if forced upon us; notwithstanding the liberality of its provisions, it will throw us back again into a state of barbarism from which we have but too lately emerged. It will prevent us for a generation at least from taking the rank of citizens of the United States. It will exchange the influences of civilization and christianity by which we are now surrounded for the contagious example of those more barbarous than ourselves, and of the border settlers among the whites. It will place us in a country which, without great previous expense, cannot be made to maintain a civilized people, and in a climate which has heretofore proved fatal to a large proportion of those Indians with whom we have been acquainted, who have emigrated there.

7th. Because we have a claim upon the government, by virtue of former treaties, for protection from such evils, and that claim we have never forfeited by unfriendly or injurious conduct. We have fought in commou with your own soldiers, and shed our blood for the United States; and, from our youth, have loved the free republican institutions of your country. We were born within your limits, and, though called savages by those who would dispossess us, we feel this moment a vastly deeper interest in every thing which concerns the welfare of the country than the hosts of foreigners, who, with all their imported notions of government and religion, have so easily become naturalized and obtained the rank and appellation of citizens. From our intercourse with such men, we fear they

bear the name in many instances without the feeling of citizens. We imbibed that feeling with our earliest breath, and yet we must be driven off beyond the limits of civilization, because we lack the name.

We deprecate such a doom. We have compared our own condition with that of our kindred, in some cases the members of our families, residing in a neighboring province. The land is fertile there. Our friends there are numerous. Our language is correctly spoken there, and it would seem that by casting our lot amongst them we might be happy. But the spirit of improvement, the genius of your free institutions, the energy of your republican government are wanting there, and we should deplore the stern necessity which would compel us to seek a home across the river. Still, it would be far preferable to emigrating beyond that distant river, where, habituated as we are to a more northern climate, death or ills which would embitter the richest inheritance, would be our certain portion. While the rights guaranteed to us by solemn treaties would secure us from both these alternatives, we look respectfully but confidently to the head of the United States for the strict fulfilment of the terms of those treaties.

8th. Because we never owned the lands in Ouisconsin pretended to be conveyed in that treaty to the United States, but have always told the government we have no interest or concern in it whatever; and we believe it unjust to the people of the United States to pay for that land twice, and devote so large a sum of money, and so much of the public domain, when we have in fact no claim upon government for any thing at all on the score of these lands.

9th. We ask for the speedy reconsideration of the subject, because the company who pretend to claim under the treaty, by their agents and commissioners, are constantly committing trespasses upon our lands, and carry off our timber, stone, wood, &c., and converting them to their own use, notwithstanding they were expressly forbidden by a special messenger from the War Department to take any such action under the

treaty till the expiration of five years, in which we were to remove, should give them possession. Their conduct is in many cases exceedingly vexatious, and could not be borne, did we not wait with confidence for the redress which we expect from the hands of government. If that redress should be long delayed, they will rob us of the most valuable part of our timber, and we exceedingly fear that we should not be able, by legal process, even though it should terminate in our favor, to recover the value of the property they are destroying.

For these and other reasons, which would protract our communication to an unwarrantable length, we earnestly and respectfully pray you to lay our case before the Senate without delay. We ask you to do this at the extra session, although there may not be time to act upon it, because we suppose that if the treaty shall be returned to the Senate, the company will be under the necessity of suspending their depredations upon us until the question is decided, so that the sooner you shall be pleased to comply with our request, the sooner and the more effectually will you extend to us the protection promised by the former treaties, to which we have alluded.

We will only add that we have heard a rumor that the Ogden Company have recently made arrangements with the government for the payment of the consideration money of the treaty, and the money for our improvements. We hope it will prove that this report is without foundation, and we most sincerely entreat your Excellency not to make any arrangement which will in any way sanction or give validity to the pretended treaty, or any of the contracts connected with it, until the Senate shall have had an opportunity for acting again upon the subject. Meanwhile we shall be obliged by your communicating to us as much information as you may deem proper respecting the course you will pursue, as we wish to send a delegation to Washington city whenever any disposal is to be made of the subject, or any action taken upon our case.

With very great respect,

Your obedient servants.

The forgoing memorial was signed by eighty-six chiefs and headmen of the several Seneca reservations, and was, on their behalf, presented to the President of the United States on the 8th day of the Sixth month, (June,) 1841.

The current of public opinion at this time, beginning to set strongly against the conduct of the Ogden Land Company, they found it very desirable to direct it into another channel. For this purpose a pamphlet was published, purporting to have been written by an Indian chief, entitled "An Appeal to the Christian Community, on the Condition and Prospects of the New York Indians, in answer to a book entitled 'The Case of the New York Indians,' and other publications of the Society of Friends. By Nathaniel T. Strong, a chief of the Seneca tribe."

This work was calculated to mislead those only, who were wholly ignorant of the character and conduct of that company. It was hardly worth the trouble of a refutation, but Friends charged with the Indian concern, were then possessed of facts and of important circumstances, a knowledge which it was desirable to throw before the public; and they deemed this a proper occasion again to appear in print, in order more fully to illustrate the subject, to excite public sympathy, and to enlist the virtuous part of the community, in the cause of suffering humanity. For these purposes they agreed, in the fifth month, 1841, to publish a work entitled, "A Further Illustration of the Case of the Seneca Indians in the State of New York, in a review of a pamphlet, entitled, 'An Appeal to the Christian Community, &c. By Nathaniel T. Strong, a chief of the Seneca tribe.

This work was extensively circulated, particularly in the western part of the state of New York. Its happy effects were soon apparent. The wrongs and sufferings of the poor, oppressed and defrauded Indians became more generally known; and the commiseration of the public found expression in newspapers and other periodicals. The murmur of disapprobation, loud and deep, was distinctly heard through the land, more

especially (where it was most desirable) in the state of New York, and in the vicinity of the Indian Reservation; but no where more distinctly than in the legislative halls of that noble commonwealth.

About this time, another powerful auxiliary of the Indian cause appeared in the field. The memorial which the committee, after its meeting at Farmington, presented to the Governor and Council of the state of Massachusetts, was respectfully received, and promptly attended to. Entering with much interest into the subject, they appointed a committee to investigate the causes of complaint, on the part of their old friends, the Senecas. The result was a very able report, dated Nov. 1, 1840, in which the cause of the Indians is advocated, with great force and clearness, and the conduct of the Ogden Company exposed, in language at once elegant and dignified, but with a severity which only the most obdurate could withstand. This report was published in pamphlet form, and widely circulated. Coming from high legislative authority, it commanded attention and respect. Lucid in its statements, and unanswerable in argument, it carried conviction wherever it appeared.

We give to our readers the concluding part of the report, in the belief that it will amply compensate for the time and attention bestowed in its perusal. After a general view of the whole subject, they conclude with the following remarks:

“The memorirlists and the delegations who have appeared before the Committee, now object both to the treaty and to the alleged conveyance, for the following reasons:

“1st,—They say there are 91 lawful chiefs of the Seneca nation, and that the amended treaty and the deed, whether signed by 41 or 43, have not been assented to in any form by a majority of 91, viz., 46 chiefs and headmen.

“2d,—Of those whose names are on that treaty and deed, the Senecas object that 6 of them are not lawful chiefs,—and that at least eleven of their chiefs were bribed by the agents of the Ogden Company,—that the contracts of bribery are in



writing, and they exhibit the contracts, by which it appears that at least 8 chiefs, (who had been bribed before the date of the deed and first treaty,) signed the deed and amended treaty. If this be true, and the signatures of the bribed chiefs be rejected, the deed and amended treaty would each have less than a majority of the chiefs, whether their whole number be 91, or 81, or 76. In addition to these cases, other instances of bribery are alleged, in proof of which, the affidavits of the persons bribed are exhibited. On this point, the Senecas also urge the declaration of the President of the United States, who said in his communication to the Senate, dated January 13, 1840,—‘That improper means have been employed to obtain the assent of the Seneca chiefs, there is every reason to believe; and I have not been able to satisfy myself, that I can, consistently with the resolution of the Senate of the 2d March, 1839, cause the treaty to be carried into effect, with regard to the Seneca tribe.’

“3d,—It is said that six others of those alleged to have signed, make oath that they never signed their names or made their marks to the amended treaty, knowing what they did at the time.

“4th,—Only 16 signatures to the amended treaty were obtained in open Council; and the Senecas declare that no treaty with them can be valid, unless made and signed in open Council;—that the resolution of the Senate required their assent to the amended treaty, to be given in open Council;—that this intention and requisition of the Senate, is express as to the St. Regis Indians, and equally clear in regard to the Senecas;—that only 16 Seneca chiefs having so assented, the treaty has not received the assent of the Seneca nation;—that the chiefs can act, (like all other legislators,) only, in Legislative Council,—and that out of such Council, they are powerless. To show that they are correct in these opinions and conclusions, they refer to the letter of Mr. Crawford to the Secretary of War, dated 29th October, 1838, in which he says, ‘Perhaps too, it was intended by the Senate, that they,’ (the Senecas,) ‘should

assent in Council.' They also refer to Gov. Everett's opinion, viz.—“The treaty making power is granted by the constitution, in general terms. No modification of its exercise in reference to Indian tribes are recognized. As it would certainly be unconstitutional for the President of the United States to attempt to treat with individual members of any foreign State or Government, (not duly authorised to represent the entire body,) or to attempt to obtain the ratification of a treaty, by means of the assent of the individuals of the Senate, not duly assembled and acting as such,—I remain of opinion, that the constitutionality of attempting to obtain the assent of individual Indian chiefs to the amended treaty, in the manner in question, is doubtful.’ The Senecas also refer to the message of the President to the Senate, on 13th *January*, 1840, in which he says, ‘the provision of the Resolution of the Senate of 11th June, 1838, *requiring* the assent of each of said tribes to the amended treaty to be given *in Council*, and which was also made a *condition precedent* to the recommendation to me of the 2d March. 1839, to carry the same into effect, has not been complied with, as it respects the Seneca tribe.’ They also refer to the same opinion as expressed by the Committee on Indian Affairs. And to all this they add, that both the treaty and deed falsely purport to have been made in Council. And the Senecas, and the Chairman of the Committee on Indian Affairs, agree in the declaration, that all treaties ever made with the Indian tribes, have been made in open Council, or by delegates duly authorized.

“5th,—The Senecas contend, that the amended treaty has not received the requisite assent of the Senate, viz: two-thirds of the Senators present concurring,—but was assented to by a majority of *only one*.

“6th,—That the deed and first treaty constituted one contract, and that the first treaty being nugatory, the deed thereby became void, and must remain so until both the deed and amended treaty shall be confirmed and assented to by the Seneca nation, in a fair and legal manner. The Senecas say the

Ogden Company admitted that the deed required confirmation after the Senate amended treaty, as shown by the Ogden Company's offer of life-leases to all those who should prefer not to emigrate, and "who assent to the *treaty to the lands* respectively held and occupied by them as farming lands."

"7th,—That the deed and amended treaty are, in fact, connected together, and are to be considered as one contract,—both equally needing ratification on the part of the Seneca nation;—that all the considerations coming to the Senecas, are dependent on the treaty;—that the 10th article of the amended treaty expressly treats the deed as part of that treaty, and as being annexed thereto;—that the said 10th article would not be intelligible without the deed;—and that the \$202,000 purchase money is not to be paid to the Seneca nation, except as provided in that article;—that the amended treaty, not having received the assent of a majority of their chiefs and headmen in council, nor the constitutional assent of the Senate, is void, and that the deed, as part of it, is also void.

"8th,—That the Senecas also refer to a part of the above cited resolution of the Senate, viz.,—"if one or more of said tribes or bands, when consulted as aforesaid, (viz., in general council,) shall freely assent to said treaty as amended, *and to their contract connected therewith*, it shall be binding and obligatory upon them so assenting." Now the Senecas say the only *contract* here referred to, is the said deed of conveyance to Ogden and Fellows;—that since this resolution of the Senate, the Senecas have never assented to that deed or contract; and that for this reason also, the deed is void.

"9th,—The Senecas also contend, that the deed and treaty, forming but one contract or instrument, both of them required the assent of Massachusetts.

"10th,—The Senecas also say, that several of those whose names appear on these instruments, are not chiefs, nor entitled to represent their nation.

"These are the principle objections urged against the deed and treaty,—and, as probably three-fourths of the whole Seneca

nation are opposed to emigration, and to the sale of their lands, these objections are pressed with great feeling and bitterness.

"Indeed, we have no doubt that very "improper means" have been used to obtain the assent of the Senecas to the deed and treaty. And this opinion has also been expressed by the President of the United States,—by the Chairman of the Committee on Indian Affairs,—and by the Society of Friends. Neither can be supposed to have any interest to mislead their judgment,—and each has had every opportunity for examining and understanding this subject thoroughly.

If the governor and council of Massachusetts, in 1839, had known all that had occurred in this unhappy business, even when the deed was presented for their approbation, we are confident they would not have approved it. But they did not know then that a very large majority of the Seneca nation was strongly opposed to a sale of their lands, nor that the signatures of several of their chiefs had been obtained by bribery. Mr. Trowbridge was entrusted with the duties of agent of this commonwealth; but it does not appear that he ever reported to this department a copy of the treaty, nor any information of its provisions. Had he done so, or had this department known the state of feeling among the Senecas, or could they have known that a treaty, forming an essential *part of the contract* for the purchase and sale of the lands, had been made, but would not be ratified by the United States, they would not have approved the deed,—certainly not unconditionally. And if they had known the provisions of the treaty, and their essential connection with the deed, they never could have imagined it *possible* that the Ogden Company would insist on the sufficiency of the deed, if the United States government should reject the treaty, or if the treaty should be found not to have received the assent of the Seneca nation.

With all the information we possess at this time, Massachusetts would not now approve that deed.

It is also stated, that Congress has made no appropriation for carrying into effect this treaty; and it may well refuse to do

so, if satisfied that the deed and treaty have been obtained by deception practised on the United States, on this commonwealth, and on the Senecas. Whichever may be pursued, we may expect that those who represent this state, the duly constituted friend and protector of the Seneca nation, will strenuously endeavor to cause justice to be done to them.

The Committee will give no opinion whether it is not for the interest and happiness of the Senecas to abandon their lands and improvements in New York, and retire to the west of the Mississippi. A very large majority of them believe it is not for their interest and happiness to do so; and, in a matter affecting themselves only, they should be permitted to *decide for themselves*.

By order of the Committee,

JOHN R. ADAN, *Chairman*.

*Council Chamber, Nov. 21, 1840.*"

In "THE NEW YORK REVIEW, No. xvii." published in the 7th mo. 1831, appeared an essay pretending to be a review of the work we published almost one year before, called "The case, &c." This essay, coming as we had no doubt, from a distinguished member of the Ogden Company, was in fact a very bold, but very weak attempt, to justify its grossly immoral conduct toward the Seneca Indians. It contained *admissions* of the immorality of that conduct, so coarse and disgusting, that none but those very much lost to a sense of shame, would have exposed them to public view. This publication, if it did not call for an answer, it opened a door for exhibiting in its true colors, the dark and mischievous spirit that actuated that Company; and induced the committee to publish the following notice of it, at the end of our little work called "A further illustration, &c."

"Since the foregoing pages were in the press, 'The New York Review, No. xvii., July, 1841,' has made its appearance. In that number, article 9, page 809, &c., there is an

essay, purporting to be a review of our book, entitled, "The case of the Seneca Indians in the State of New York, illustrated by facts."

This essay is a labored attempt, not to disprove the *truth* of our statements,—not to show that in attributing bribery, fraud, &c. to the agents and principal actors in getting up the late Seneca treaty, we were mistaken,—but to justify their unprincipled conduct in the face of a "Christian community!" "Drunk-*enness*, bribery, rum allowed, personal inducements offered, to persuade individual chiefs to sign" the treaty,—"*an amount of bribery going beyond all former precedent,*" are *unblushingly* admitted! But while the Reviewer admits the facts, he thinks, or at least asserts, that "*the blame* should lie any where but on the pre-emption party!"—any where but on the most guilty! In his opinion, those who drank the "rum," and accepted the "presents," are, in this case, the culprits! His doctrine is, that the "corrupt principles in the receiver," not the "illegal practice in the giver," are to "blame;"—that he who "corrupts by gifts," is to be deemed *innocent*, while he who is corrupted by them, is to be made the "scape-goat *to bear away all the sin!*"

"By the laws of Athens, the *offerer*, as well as the receiver of a bribe, were prosecuted." In England, the offence of taking a bribe; is punished with fine and imprisonment, and the offence of *offering a bribe, even if it be not accepted*, receives the same punishment. (3 Ins. 147.) In elections, he that *offers a bribe*, forfeits £500. Dr. Rees defines a bribe to be "*a reward given to pervert the judgment, or corrupt the conduct.*"

The defence of bribery, fraud, and artifice, set up by the Reviewer, will hardly avail with a "Christian community," who are taught from the highest authority, that it is the "*wicked man* who taketh a gift out of his bosom, to pervert the ways of judgment," and that he alone is justified in the sight of heaven, who "*despiseth the gain of oppression, and who shaketh his hands from holding of BRIBES.*" It is much to be regretted, that any public writer, especially a Reviewer, whose office

ought to be, to explain and *enforce* the principles of morality, should prostitute that office to *pervert* them. In the present instance, however, the friends of justice and humanity have cause to congratulate each other, that *error and crime* have found so weak an advocate. His doctrines are calculated more to disgust than to convince. No mind, not callous to all sense of moral obligation, can entertain them for a moment. They are too monstrous to do *much* harm. Their poison and its antidote go together.

\* "Nam ego illum periisse dūco, cui quidam periit pudor."

"We have never *known*," says the Reviewer, "an Indian treaty carried without drunkenness and bribery,—rum allowed, and personal inducements offered, to persuade Indian Chiefs to sign *even by the Quakers themselves*." The former part of this sentence may be true, if he speaks of *personal knowledge*, and this may account for the morbid state of his moral feelings, which permit him, publicly, to palliate the most degrading vices, and to hold out the idea, that *the frequency of crime removes the offence*!

In the latter part of the sentence, his insinuation against the Quakers, would have been more easily answered, if he had condescended to inform us *when and where* they had been guilty of such depravity. He ought to know that with the "Christian community," *insinuation will not pass for proof*. We suppose it is founded on the declaration of Senator Lumpkin, in his speech on the treaty question, when he asserted, that "even under the government of that good man, William Penn," a *statute* was passed, allowing his commissioners "to administer a prudent portion of intoxicating drink to the Indians, with whom they wished to form a treaty."

We have briefly reviewed and refuted this assertion of the Senator, in the work to which this is appended. See pages 56, 57. We will here add, that the statute, so unjustly charged on

\* I regard that man as lost, who has no longer any sense of shame.

the government of William Penn, was not made until four or five years after his death. It was passed, not by a Quaker, but "under the government" of SIR WILLIAM KEITH, a member of the church of England; the same individual that Dr. Franklin, in his autobiography, has condemned to lasting and unenviable notoriety, as the gratuitous and cruel betrayer of his juvenile confidence. The Quakers are not accountable for any violation of their principles, during the administration of those governors who succeeded William Penn, none of whom were Quakers. As a society, Friends had no control over the government. Not only the governors, but the proprietors, after his decease, were opposed to the principles of the Quakers. The history of Pennsylvania, and the private letters of the Penn family, amply prove this fact. That cause must be *essentially bad*, that owes its support to *vicious example*!

By what we have said in relation to the Governors of Pennsylvania, after Penn's death, we do not mean to admit that *any abuses*, under the aforesaid "statute," were committed upon the Indians. We read of no case in which chiefs were solicited to drink ardent spirits, to deprive them of their reason; and when unconscious of their own actions, made to sign a treaty. Such refinement of wickedness belongs to an age that boasts of greater refinement of taste and manners, than prevailed in the days of Governor Keith.

The doctrines taught by the learned reviewer,—his arguments—his style—his phraseology—his peculiar terms, in short, all the characteristics of his essay, as a *literary* production, point out its origin. Its mis-statements are *repetitions*, and its bitterness flows from an old and well-known fountain. No *disinterested*, candid writer could be its author.

Seventh month 16th, 1841.

Thus, while the *cause* of the Seneca Indians in the halls of Congress, seemed hopeless, and indeed utterly lost, it was rapidly gaining ground with *the people*, in whom, after parting with all the *power* they can confer on *their representatives*,



there is often found enough to defeat the unrighteous measures of those who have *misrepresented* them. Little ground had the committee for hope, when they found that the Senate and President of the United States, (the treaty-making power under the Constitution,) had ratified and proclaimed the instrument called the "amended treaty." Yet, by the influence of public sentiment, acting on the oppressor and the oppressed, a way was soon after made, where no way had appeared. Public sentiment acting on the Indian, strengthened him in his resolution, never to abandon his home, at the mandate of *arbitrary power*, and public sentiment, acting on the agents of the Ogden Company, made them feel their weakness, when arrayed against the mighty force of popular feeling, on the side of the oppressed.

At this period of the concern, the committee, struggling against a current of unfavorable circumstances, could only advise the Indians to be quiet, and patiently bear the injuries heaped upon them,—in the certain assurance, that they were under the protection and care of the UNIVERSAL SHEPHERD,—the witness of all their afflictions, and who, in *his own* time, would send them relief, in *his own* way. Under a lively sense of the wrongs and injustice practiced towards them, the Indians had now determined to resist, at least passively, every attempt to dispossess them of their patrimonial inheritance. Some of their chiefs, under a bitter sense of their injuries, had explicitly declared, that as their nation had taken no part, *as such*, in the alienation of their reservations, as the bribed chiefs had acted as individuals, and not as representatives of the people,—and, as all their unauthorized acts had been duly disavowed, they would die on their lands, by the violence of the oppressor, rather than remove at his bidding.

The difficulties which at this time stood in the way of any movement on the part of Friends, either to the right or to the left, were of a formidable character. On the one hand, the removal of the Indians into the western wilderness, whether voluntarily or by force, appeared to their friends, to involve

their very speedy extermination. The Seneca nation had ceased to live by the chase. They were mostly in that stage of the journey between barbarism and civilization, in which the Indian loses those habits and means of living, which sustain him in his aboriginal condition; and has not acquired the arts and the energy of the civilized man, which serve for his protection and safety under any circumstances, and in every variety of climate. To drive such a body of Indians into a wilderness country, would be more destructive than it would be, suddenly to empty one of our large Atlantic cities into the lap of Oregon. In the latter case, the knowledge, the ingenuity, the energy of the white man, would soon draw round him the necessaries and comforts of life, while the ignorance, the listlessness, and the habits of dependance of the red man, would leave him a certain prey to want, or disease, or to the more savage tribes by which he would be surrounded. From some experience in the case of other Indians, formerly under the care of Friends, and which were so removed, we had no doubts on this point. We knew, as forcibly expressed by Governor Seward, late executive of the state of New York, that "it is a fearful thing to uproot a whole people,—and send them regardless of their own views of their rights, interests, and welfare,—their feelings and affections, into a distant and desolate region." On the other hand, the friends of the Indians were forced to look in the face, the appalling fact, that by the late action of the Federal Government, the Ogden Company had attained a *legal* right to the four Reservations of Tonewanda, Buffalo, Cattaraugus, and Alleghany. These lands were now vested in that Company by the supreme law of the United States. The transfer had been deliberately consummated, through all the forms, required by the compact, between the states of Massachusetts and New York, and by the constitution and laws of the union. That Company being legally seized of them, no powers of the general government, or of the state of New York, could authorize, either directly or indirectly, any coercive action, by which the Indians might be restored to their just rights.

Such were the conclusions derived by Friends, from the highest legal authorities in the United States; from true-hearted men;—warm, faithful, untiring friends of the Seneca Indians; from men who had plead their cause, on the floor of the Senate and House of Representatives, with disinterested zeal and persuasive eloquence;—men who had stood by Friends in all their trials and difficulties, and who would never abandon them while there was a ground of hope.

Under these circumstances, it was painfully evident, that there was no prospect of restoring to the Indians any portion of their territory, except by some agreement, to which the Ogden Company should become a party. In the mean time that Company perceived, that very formidable difficulties already lay in *their* way. *They* plainly saw that the opposition which they would have to encounter, might cost them vast sums of money, and long postpone the period when *they* could come into the possession of the four Reservations. *They* knew that the white population in their vicinity, had become generally acquainted with the means that had been employed to fasten this treaty upon the Senecas, and were generally hostile to the Company, and would actively aid and abet those Indians in all their attempts to keep their lands.

The friends of the Indians, with concern perceived, that if the government, in order to carry out its policy of removing them to the west, should attempt their expulsion at the point of the bayonet, scenes must ensue which could not be contemplated without horror. And, they as clearly saw, that if no such expulsion should be attempted, and no other measures of a forcible character should be adopted, still the *uncertain nature of their possession*, must keep them forever unsettled, and wholly prevent their civilization and improvement. Both parties were surrounded by difficulties and discouragements; and each party, without the knowledge of the other, was secretly desiring some compromise of their respective claims.

Such was the state of our concern, when, after mature consideration, the Committee concluded to open a correspondence

with the agents of the Ogden Land Company, with a view to ascertain, whether any arrangements could be made, which the Indians and their friends could approve, and by which this remnant of the once numerous and powerful Seneca nation, might be saved from destruction. A delegation from the joint committees proceeded to Washington, in order to explain our wishes to the Secretary of War, who is, *ex officio*, the head of the Indian Bureau. The active and talented officer then in the department, was a citizen of New York, well acquainted with the character and circumstances of the Indians in that state, and withal, their warm and disinterested friend. Our application for his advice and assistance in the case was kindly received. He entered into the concern with much interest, and, though greatly occupied with the numerous weighty affairs of his office, he devoted to our cause, his time, his talents, and his experience, with a promptitude and benevolence, which was gratefully felt at the time, and can never be forgot. Under a deep feeling of our responsibility, as the representatives of the Society of Friends, and as guardians of a people, then wholly dependant on that Society for protection, we were prepared to appreciate the value of his services, and most sensibly to feel our obligations for his kindness.

By a letter from John C. Spencer, the then Secretary of War, to Thomas L. Ogden, one of the principal agents of the Ogden Land Company, the parties were brought together. In the course of the negotiation many difficulties arose, which threatened to break up the conference, and required much time and reflection, and labor, to reconcile or remove. At length preliminaries were settled, and under the special supervision of the Secretary, a treaty was drawn out, in order to be submitted to the Indians, at a Council of the whole nation, to be convened especially for the purpose.

The following synopsis of the treaty, the provisions of which had been arranged as aforesaid, will give the result of our exertions to serve the Indians, and, as far as was in our power, to prevent their speedy extermination.

*Synopsis of the Supplemental Treaty, 1842.*

ART. 1st, Provides that the Ogden Company shall restore and convey to the Senecas the two reservations of Cattaraugus and Allegany with the same title to them in all things, as they held them by, before the execution of the treaty of 1838, reserving the right to purchase the same, when the Senecas may incline to sell them.

ART. 2d, Provides that the Seneca nation agrees that the Ogden Company shall retain the two reservations of Tonawanda and Buffalo, according to the amended treaty of 1840.

ART. 3d, Provides that these two reservations shall be paid for in proportion to the relative value of the lands within all the four reservations.

ART. 4th, Provides that this valuation shall be adjusted by arbitrators, one of whom shall be appointed by the Secretary of War, and the other by the Ogden Land Company. The umpire, a third arbitrator to be appointed by the other two. The said valuation to be made as agreed upon in the former treaty, both as to the lands and improvements.

ART. 5th, Provides that the forest, or unimproved lands, on the Tonawanda and Buffalo reservations shall be surrendered to the Ogden Land Company, in one month after the award of the arbitrators, shall be filed in the Office of the Secretary of War. And it also provides, that the improved lands shall be surrendered within two years from the filing the said award as aforesaid, when the value of the improvements shall be paid to the President of the United States, to be distributed among the owners thereof.

ART. 6th, Provides that such of the Seneca nation as may desire to emigrate from the State of New York, shall be entitled, in proportion to their relative numbers, to the funds and annuities of the nation, and that, should the said nation remaining in the State of New York, hereafter sell these two reservations, the emigrating Indians shall, in like manner, be entitled to their share in the proceeds thereof.

ART. 7th, Provides that the treaty of 1838 is annulled, so

far as the same is inconsistent with the provisions of the present treaty.

ART. 8th, Provides that the expenses attending the execution of this treaty, shall be paid by the Ogden Land Company.

ART. 9th, Stipulates that the parties to this treaty will solicit the influence of the United States, to protect from taxes the lands of the Seneca nation, while they continue to own and occupy the same.

Emigrants from the Cattaraugus and Allegany Reservations, are to receive pay for their improvements when they shall choose to emigrate, out of any funds belonging to the Seneca nation, in the hands of the General Government,—the property so improved to become the property of the nation.

The next concern of the Joint Committee, was to prepare for meeting a council of the Seneca nation, for the purpose of laying before it, the treaty, the outline of which had been arranged, as before related. As soon as the season of the year, and other circumstances, would permit, a joint delegation from the four Yearly meetings of Genesee, New York, Philadelphia, and Baltimore, proceeded to Buffalo, and, according to previous arrangement, met the chiefs in council, on the 9th of the Fourth month, 1842. After opening the meeting in due form, the following communication, previously prepared by the Joint Committee, was read and interpreted to them.

*To the Seneca Nation of Indians, in the State of New York.*

BROTHERS! It is now about three years since your friends of the Yearly Meetings of New York, Philadelphia, and Baltimore, were informed of the difficulties in which you were involved with the Ogden Land Company. In the Eighth month, called August, in the year 1839, a large Committee of Friends came to see you, in order to inquire more fully into the causes of your trouble. We then learned that a treaty, dated January 15th, 1838, had been executed by a number of your chiefs, in which it was agreed, that the Seneca Indians, should, within five years, give up all their lands in the

state of New York, and settle in the country beyond the state of Missouri. To this treaty the names of forty-five chiefs were attached. We also learned that a Deed of the same date, conveying to the Ogden Land Company, the four reservations of Tonewanda, Buffalo, Cattaraugus, and Allegany, had been executed, and that the names of forty-three of your chiefs appeared on that deed.

BROTHERS! When we visited you at that time, we also learned that the Government of the United States had not ratified that treaty, and that the Senate had made another, which was called "The Amended Treaty." This treaty was, by order of the Senate, to be explained to the Indians *in council*, and then submitted to them for their signatures. This was done;—but, as you have assured us, was neither approved nor signed by a majority of your chiefs.

BROTHERS! When your friends heard these things, their hearts were made sad. They believed that what you told them was true, and that you had been grievously wronged. Under this conviction, relying on the justice of your cause, and the good faith of the Government, they appealed to the President of the United States, and to the National Legislature, in both houses of Congress, on your behalf. Documents shewing the manner in which "the Amended Treaty" had been executed, and fully illustrating your case, as it was represented to us by yourselves, were laid before the President and the other branches, of the Government. Yet, notwithstanding all our exertions, and the faithful labors of your friends in the Senate, the treaty was ratified and proclaimed, by the then President, as the law of the land.

BROTHERS! Ever since that time we have labored faithfully to obtain a revision of that treaty, by the constituted authorities of our country. We have printed Books to spread the knowledge of your wrongs. We have been many times at Washington to plead your cause. We have solicited the aid of the Governments of New York and Massachusetts. We have spared no labor, no expense, no exertion to obtain relief for our Red brethren.

**BROTHERS!** We are sorry to have to say to you that the difficulties and obstructions, which lay in our path, were so many and so great, that we could neither walk over them, nor remove them, out of the way. As soon as the treaty was ratified and proclaimed by the President of the United States, it became the supreme law of the land; and the Deed, which had been signed by a number of your chiefs, vested certain legal rights in the Ogden Land Company, which, we have been told by men learned in the law, could not afterwards be taken from them by any Legislative action on the part of the Government.

**BROTHERS!** Under these circumstances we looked round on every side, and saw no certain way for the relief and preservation of your people, unless a compromise could be made between all the parties to that treaty, by which each of them should concede and give up something for the peace and harmony of the whole.

**BROTHERS!** It was thought by some who were friendly to your cause; that you might finally obtain justice by an appeal to the Courts of Law. This subject has been seriously and anxiously considered by us;—but when we took into view the heavy expenses of such an undertaking—the great length of time it might require to bring it to an issue—the unhappy effects of hostile proceedings upon all parties, and the unsettling and ruinous consequences of a tedious law-suit upon yourselves, we could not recommend that course to our Red brethren.

**BROTHERS!** After we had suffered much anxiety and trouble on your account, and the hope of obtaining any relief for you had begun to fail us, a way was opened for an accommodation, and settlement of all the difficulties, between the several parties to the present controversy. At a council held at Washington, on the 28th day of the First month, in the present year, between the Secretary of War, the Agents of the Ogden Land Company, and a delegation of Friends on behalf of the four Yearly Meetings of Genessee, New York, Philadel-



phia, and Baltimore, a plan of accommodation was proposed, and it was agreed to put it into the form of a treaty for your consideration. This was done; it was carefully considered, and will now be laid before you.

BROTHERS! By this arrangement you may, if you please, continue to dwell on a part of the land which the Great Spirit gave to your forefathers. The two reservations of Cattaraugus and Allegany will be restored to you, and will remain yours forever, or until you may choose to part with them.— For the two reservations of Tonewanda and Buffalo you will receive a price proportionate to the whole sum mentioned in the Deed before mentioned, dated January 15th, 1838, signed by many of your chiefs: and you will be paid for the improvements upon them at the same rate as agreed upon by those who executed the treaty of that date. Under this arrangement also, such of your people as may choose to remain in the state of New York, will have land sufficient for their accommodation and subsistence, where they may enjoy the advantages to be derived from a surrounding population, skilled in agriculture and the arts of civilized life; while such of them who may prefer a situation in the country beyond the river Mississippi, will be left at liberty to emigrate to that place, and take with them their share of the moneys and annuities of the nation: and moreover they will be entitled to their portion of the lands, as well as to all the other advantages, secured to them by the treaty, which has already been ratified. If then there be two parties among you, the one an *emigration* party, and the other a *domestic* or non-emigration party, both may be accommodated under the proposed arrangement.

BROTHERS! It is well known to you, that by your proximity to the city of Buffalo, your people are exposed to the pernicious examples and contaminating influences of wicked men, by which many of you have been corrupted, and others much injured. Should you accept the proposed treaty, such of you as may remain on your New York lands, will be further removed from a situation, which has already been to you a source of much injury.

**BROTHERS !** If it should appear to you proper to reject the present propositions, you will stand just as you stood before this attempt to effect a compromise was made. The Amended Treaty provides for the relinquishment of all your lands in the state of New York ; and at the same time requires your removal to the country beyond the state of Missouri. "The Supplemental Treaty" or compromise now proposed, leaves all of you at liberty ;—such as choose to go may go, and take their shares of the moneys and annuities of the nation ;—such as choose to stay may stay and enjoy all the advantages of a country already civilized and improved. We desire that you may seriously consider the proposition now before you. On your decision at this time, much of your future welfare depends. You must judge for yourselves. Your friends have come here to lay the contract before you, and to explain its provisions ; they have not come to dictate any thing to you, nor to direct you in your choice.

**BROTHERS !** We have done for you every thing that it was in our power to do. For more than two years we have labored faithfully in your cause. You will now know the result of all our exertions in your behalf ; and on this solemn occasion we feel concerned to say a few more words to you before we part. To those who may emigrate, and to those who may remain—or whether you all remain or all go away, our communication will be equally applicable to you.

**BROTHERS LISTEN !** You know that the white men have a written language. By this means we can look backward, and see clearly over the long path in which the *red* men and the *white* men have been walking, now more than two hundred years. We have seen that from the day when the *white men* first set their feet on your land, *they* have been *increasing*, and the *red men* have been *decreasing*. The *white men* are now very numerous and powerful—the *red men* are few in number and very feeble. Some of their nations are entirely extinct—their council-fires are gone out forever. Others have been greatly reduced—and the little remnants yet living, are poor,

and weak, and scattered abroad—some in one place and some in another. From the great water which lies towards the rising sun, to the great Mississippi, the father of rivers, a distance of almost one thousand miles, they have nearly all disappeared.

**BROTHERS!** We have thought much of these things, and we believe that many of our red brothers have thought of them also. And now we feel it to be our solemn duty to open our minds to you. When great evils fall upon individuals, or nations, the wise men among them try to find out the cause; and when they have found it, they endeavor, by the aid of the Great Spirit, to remove it out of the way. This is a duty as binding upon the red men as upon the white men.

**BROTHERS!** We all know that war, and strong liquors, and the small pox, as well as other contagious diseases, have destroyed many of the Indians, and greatly reduced their numbers;—but when there are no wars, and no contagious diseases among them, they still continue to decrease. We think that the use of strong liquors and the indolent mode of life, yet followed by many of your people, are the principal causes of this decrease.

**BROTHERS!** We have heard, with much pleasure, that on some of your Reservations, you have made great exertions to prevent the introduction and use of strong liquors among you. If you should succeed in your efforts, wholly to keep out this destructive drink, one fruitful cause of your misery and decrease will be removed.

**BROTHERS!** The Great Spirit, when he first made man, intended that he should labour. Moderate labour is good for his body and for his mind. It makes him strong and healthful. By industry and diligence he is enabled to have a warm house, good clothing—plenty of wholesome food, and all the comforts of life in abundance. By these means also he is enabled to improve his mind by useful learning, and to give his children a good education. Thus one generation after another have the means of growing wiser and better; and we believe that under such circumstances, nations always increase in numbers and become strong.

BROTHERS ! You know that under the circumstances in which you are now placed, surrounded by a white population, the white men, by their intelligence, are constantly taking advantages of you ;—which we believe will always be the case, until you are prepared, by a better education, and a more general acquaintance with the habits and customs of civilized life, to guard yourselves against them. We believe it essential to your prosperity, that you adopt a mode of living suited to your present condition. You can no longer live by the chase—you must either become cultivators of the earth, or cease to exist as a people. We understand that it is the will of the Great Spirit that man should till the ground, for without tillage it will not produce bread. Where this will is obeyed, *there* we generally see a prosperous and happy people. Where it is neglected, vice and misery, and want, and destruction come upon the nation.

BROTHERS ! Some of you know that your friends, the Quakers, ever since they had settlements among you, at Alleghany and Cattaraugus, now more than forty years, have preached to you this doctrine. They laboured to persuade your people to become Farmers; and bring up your children to agriculture, and to learn trades. They saw as plainly, as we see now, that this was the only way to preserve the Indian tribes from extinction.

BROTHERS ! As our fathers preached to the Indians this doctrine more than forty years ago, so we now hold forth to you the same doctrine. We will not deceive you. We will open our hearts to you freely and plainly. We will tell you the truth. You did not take their advice then, and since that time your nation has been growing weaker and weaker. But we believe it is not yet too late to reform. If you will take our advice now—if you will bring up your sons to agriculture and the arts—if you will withdraw your women from the labours and drudgery of the field—if you will have your daughters taught to spin, and to sew, and to knit ; as well as to practice the other useful branches of housewifery—if you will set

your children an example of sobriety and the other virtues, then will your nation grow and increase. and become strong. But if you will not follow this advice, nothing your friends have done, or can do, for you, will save you from extinction. And the day is not very distant when, like the snow under a warm sun, your race will melt away and be seen of men no more.

Signed, on behalf of the joint Committee on Indian affairs, of the four Yearly Meetings of Friends of Genessee, New York, Philadelphia and Baltimore.

Buffalo, 4th mo. 9th, 1842.

G. M. COOPER  
WM. S. BURLING, } Genessee.

N. STARBUCK,  
JOHN LEGGETT,  
S. J. UNDERHILL, } New York.

BENJAMIN FERRIS,  
JOSEPH WARNER,  
JOHN JACKSON, } Philadelphia.

MOSES SHEPPARD,  
PHILIP E. THOMAS, } Baltimore.

In the course of the discussions which succeeded the foregoing speech, Israel Jemison, one of the chiefs, said he wished particularly to know, if the Ogden Company really had acquired *vested rights* under the supplementary treaty, and *what considerations* had led that Company to accede to this compromise arrangement.

To which a member of the committee replied:—We will endeavor, in a few words, to inform the Council of the circumstances which led to the compromise now proposed.

When this subject was first brought to our knowledge, the amended treaty, together with a deed of conveyance, by which the Senecas had alienated the four several reservations of Tonawanda, Buffalo, Cattaraugus and Allegany, had been executed. It was alledged by you, that very corrupt means had been em-

played in procuring this deed and treaty; and in your then distressed situation, you solicited our aid.

The committees of the four Yearly Meetings, after taking the whole subject into consideration, and endeavoring to ascertain the best course for them to pursue, under the circumstances in which they found you placed, waited on the then President of the United States, in whose hands the treaty at that time was, and requested him to return it back to the Senate, in order that this body might have an opportunity to reconsider it. At the same time, they petitioned the Senate not to ratify it, and they also laid before both the President and Senate, all the evidences that had been furnished by you, of the improper means employed to procure the treaty.

Notwithstanding all these representations, the treaty was finally ratified by the Senate, and subsequently it was formally proclaimed by the President.

Finding that nothing could be gained for the relief of the Indians, by appeals to the President or Senate of the United States, the committee petitioned Congress not to furnish money to carry it into execution.—This, however, they were aware, could only produce a temporary suspension of the treaty, because it was foreseen that, in the end, Congress would grant the money, and the treaty be carried into effect.

As soon as your friends discovered that there was but little hope of defeating the treaty, in the Congress of the United States, they began to consider whether an appeal to the courts of law, on behalf of the Indians, might not be made. After obtaining the best advice they could procure, in relation to this subject, they perceived that this would not be a discreet measure, and should not be resorted to, but in the last extremity. It was certain that if adopted, it would consume a great length of time, and involve a large sum of money—while there was scarcely a hope that, in the end, it would result in any advantage whatever to the Indians.

When they had arrived at this point, they began to despair of effecting any thing for your benefit, unless the Ogden Com-

pany could be induced to enter into a compromise ; and they determined to make an effort to effect the best arrangement they could in that way.

They saw that the treaty, as it now stood, however it might have been procured, had become the fixed law of the land—that the Ogden Company had acquired certain rights under it, which could not be taken from them by any legislation. That the treaty, having all the constitutional forms necessary to make it valid, would be so considered by the courts of the United States, and would be carried into effect.

Considering that by the conditions of this treaty, the whole of the lands in your former reservations, had been ceded by the Indians ; and that within five years you would be driven from your homes, into a far distant wilderness—the committee were most anxious that this great calamity might be averted ; and after considering the matter very maturely, they concluded to open a correspondence with the Ogden Company. When the proposition for a compromise was first made to the agents of that Company, they promptly rejected it, and avowed that they did not want any compromise—that they had bought the lands and would take possession of them : consequently the first interview with them terminated without any prospect of success:

An appeal was then made to the Secretary of War, and by his interposition a second interview, with an agent of the Company, took place in the War Office, at Washington, at which the Secretary was present, and from that time he effectively lent his aid to assist your friends in carrying out the proposed measure.

The Ogden Company perceiving that not only the whole influence of the Society of Friends would be exerted against them, but also that we should have the assistance of the Government, now listened to our overtures, and several interviews took place afterwards with the agents of that Company. After a great deal of labor and perseverance, the negotiations with

them resulted in the procuring for you the return of the two reservations as now proposed by this treaty.

We informed you when we came here, that it was our intention to open our hearts to you freely. We will not conceal any thing from you. We therefore tell you plainly, that we have, after encountering many difficulties, and expended much time and labor, obtained for you the most favorable terms in our power. The Ogden Company have with difficulty been brought to agree to the terms of this treaty; and it is our opinion, which we desire you distinctly to understand, that if the present terms are rejected, you will never be able to obtain as favorable ones hereafter.

There are among you wise and judicious men, who understand your interests, and are capable of deciding what will best promote the happiness and welfare of your nation. The question at issue, is now plainly before you. It is, will you prefer to occupy two of your reservations as now proposed, or will you relinquish the whole, according to the stipulations of the amended treaty, and remove to a distant wilderness.

We repeat that it is not our purpose to dictate to you what course you shall pursue. The object of our coming here at this time, is to lay before you all the advantages we have been able to secure for you, that you may be made acquainted with, and fully understand your situation, and the alternatives before you. If, after considering the subject, there be any point upon which you may think our advice could be useful to you, you know we have always been your friends, and are disposed to render you our best service. Should you now, therefore, want our advice, we will endeavor, by the aid of the Great Spirit, to give you the best in our power.

At the time we held the council with some of you at Farmington, you requested us to tell you when we had lost all hope of doing any thing for you: since then we have done all that we could. We found by the treaty, that you had alienated the whole of your lands. We have succeeded in obtaining the



restoration of a considerable part of them to you, and we have no hopes of effecting more.

The treaty, as it is now offered to you, is not open to alteration or amendment. It must either be accepted or rejected *as it is*. This your friends have assented to, because we are convinced that, if it be once opened to alteration, matters might be introduced into it prejudicial to your interests, whilst there is no hope that any additional advantages whatever could be obtained for you."

After a very laborious session, during which the Indians went carefully over the whole ground embraced by the treaty, closely scrutinizing all its provisions, asking a great many questions, and most attentively weighing every answer, one of the chiefs rose and made the following speech.

**BROTHERS.** You have now given us your communication, and explained the whole of your business, so that all our chiefs understand it.

**BROTHERS.** You may expect that this subject will be thoroughly examined and discussed by the chiefs, and some determination will be come to, by them—we understand that one of your number will remain here to take our answer to you—we like that arrangement.

**BROTHERS.** You are about to leave this council and our nation. We will take you by the hand, as our meeting is about to close with you. We hope you may return to your homes in safety, and that the Great Spirit will protect you in your journey, and enable you to reach your families in good health.

**BROTHERS.** We must leave all things to the kind care of Him who rules over the affairs of nations, and hope that our decision may be such as will promote the good of all, and be most for the advantage of our whole nation."

At the time the Committee retired from the Council, it was concluded to leave one of our members with the Indians, to give them any further information which might be required during their deliberations. They continued in council until

the 15th of the Fourth month, inclusive, having been closely and constantly engaged in deliberation and discussion six whole days.

The Friend who had remained with the Indians, until the close of the council, after the business of it was concluded, addressed to a member of the joint Committee, the following letter :

*Buffalo Reservation, State of New York,  
4th Month 15th, 1842.*

PHILIP E. THOMAS,

*My Dear Friend,*

After the committee of Friends had closed their labours, and withdrawn from the General council of the Senecas, on the 11th of this month, I continued here, in accordance with the request of the Committee, and regularly attended the council every day, for the purpose of giving such further information, on behalf of Friends, as might be desired.

The conditions of the proposed Supplemental Treaty had been so clearly opened, and explained to the Chiefs, that they appeared fully to understand all its provisions; there was a very general attendance from the four reservations, and a deliberate discussion, upon every article of the treaty, took place. The Council, which had been opened on the 9th instant, met daily, and did not close its session until this evening, when the question upon the receptance or rejection of the proposed Treaty was finally decided.

In a letter, addressed by the Indians to the Secretary of War, and which they have requested me to transmit to the Committee; to be, by them, delivered, they say,

“ We agree to accept of the proposition for a Supplemental Treaty, as that Treaty has been read and explained to us, by the committee of the Society of Friends, and to give our assent, in due form, to said Treaty, when it shall be presented by the proper officers, on the part of the Government of the United States, and when the Ogden Company shall have complied

with the stipulations of said treaty on their part," and, "We request the Government to make the necessary arrangements for the execution of said Treaty, by sending the necessary officers, on the part of the Government of the United States, and of the State of Massachusetts, and of the Ogden Company, to meet us in council, on the Buffalo creek Reservation, on the 16th day of May next, or at the earliest convenience of the Government."

This letter was signed by 79 Chiefs, which included all of them that were present, except two.

Although the council have, as here stated, agreed to accept the Treaty, on the conditions offered, yet, at the same time, they have informed the Secretary of War, that they are very desirous to be allowed a longer time than is limited, to remove from the improved lands, now agreed to be relinquished; and have also requested a modification of some of the other conditions, which they have explained to the Secretary, and requested the aid of Friends in effecting.

The Council, in concluding their communication to the Secretary of War, further say,

"We have strenuously maintained, and we still believe that the Seneca Nation, as such, never has assented to the sale of our lands, to the Ogden Company, but we think this compromise better for us, than to adopt any other means in our power, for obtaining redress. Yet as an injured and oppressed people, we throw ourselves upon the mercy of the Government; entreating, that if it be possible, the Government would obtain for us these proposed alterations. But if this cannot be done, we must submit to our fate."

Notwithstanding we have not gained for the Indians all that we could have desired, yet it is a circumstance most gratifying to us, that by this arrangement, the forcible expulsion of these greatly injured people, from the country descended to them, from their forefathers, is prevented; and that although, under this arrangement, they will be deprived of a portion of their lands, yet they will receive some compensation, for the part

now to be alienated, and it is believed will retain a sufficiency on which they may, with industry, secure a comfortable subsistence.

Situated as we now are, our position towards these people has become one of deep responsibility—they are poor and feel very helpless—they believe there are none but the Society of Friends on whom they can safely rely, and they have an unshaken confidence, that we will not desert them; and this opinion has had a powerful influence upon their recent deliberations.

They have arrived at a crisis, never before presented, and a large field for labour is about to open, in which their friends may use the means which a Benevolent Providence has put in their power, to rescue from extinction, and secure the civilization of this remnant of the Seneca Nation of Indians; and I greatly desire that our hearts may respond to the call. The circumstances by which they are surrounded, and their almost universal desire for education, and improvement, in the arts of civilized life, conspire to ensure to our labours a favorable result, and to crown our exertions with a successful and happy conclusion.

The council, which has just been dissolved, was closed with an expression of fervent gratitude to the Great Spirit, for his continued goodness, in keeping the chain of friendship bright, between their old friends, the Quakers, and the Seneca Nation, and with the expression of an earnest desire, that this friendship may never be dissolved until the Senecas shall cease to exist.

It affords me a sincere gratification to be able to add, that by this effort, on the part of Friends, which is about to be brought to so happy a termination, the animosities that had been engendered amongst the Indians, by artfully designing individuals, on the question of their emigration to the west, are likely to become healed; and that peace and concord, will again be restored amongst them—all parties having appeared cordially to unite, in the final conclusions of the late Councils.

and to have separated, with a manifestation of reciprocal good feelings towards each other.

Thy affectionate friend,

G. M. COOPER.

By the foregoing letter it will be perceived that nearly all the chiefs of the Seneca nation attended this very important meeting; the whole number being about ninety. Nearly all the chiefs of the Tonawanda Reservation were there, and they all excepting one, signed the assent to the treaty, and also the letter to the Government of the United States, requesting that arrangements might be made, and the proper officers sent, in order that the Treaty might be duly executed. The great unanimity of so large a body, on a subject so interesting to the nation, was an extraordinary circumstance, and a strong proof of their confidence in their old and long tried friends. Eighty-one chiefs were present, and all except two of them, signed the assent and the letter.

The Government granted their request, and a time was fixed for consummating the treaty. The venerable Ambrose Spencer, formerly Chief Justice of the State of New York, was appointed a commissioner on the part of the United States, and Samuel Hoare, a commissioner on the part of Massachusetts. Abraham Dixon appeared as a Delegate from the Legislature of New York. Thomas L. Ogden and Joseph Fellows were present as representatives of the Ogden Land Company, and Philip E. Thomas, Moses Sheppard, Joseph S. Walton, Benjamin Ferris, John Leggett, Griffith M. Cooper, and Isaac Post, represented the four Yearly Meetings.

The Council, for the consummation of the treaty, met pursuant to the arrangement made by the Government authorities. It was held at the Buffalo creek reservation, and sat from the 16th of the Fifth month, to the 20 of the same, inclusive, 1842. It was opened by Stephen Osborn, the Indian Agent appointed by the United States. The session continued five days, and closed, after a ratification of the Treaty, by a vote of *fifty-six*

in favor of it, and *sixteen* against it, those in the negative being mostly Tonewandas.

By this treaty there was restored to the Seneca nation two reservations, containing together 52,143 acres, principally of rich, fertile land, giving to each family more than one hundred acres. They were thus enabled to remain on their native soil, and to avoid a ruinous emigration to a distant and sickly country, ill adapted to their present habits,—surrounded by savage and warlike tribes,—and scantily supplied with timber. As was anticipated by their friends, experience has demonstrated, that the *fatal consequences* of such a removal, were not imaginary. During the past summer, as will be seen in this narrative, sixty-two Senecas, mostly of the old emigration party,—forty-one Cayugas,—eight Onondagas, and a number of vagrant Indians of other tribes,—were induced to emigrate to the lands, allotted them by the Government, west of the Mississippi. of these, before the end of six months, nearly one half were dead, and some of the rest, in a miserable emaciated condition, have straggled back to their old homes. An application by their brethren has, as will hereinafter be seen, been made to the Indian Department, for assistance to bring the remainder again into the state of New York.

Although the abandonment of the two Reservations of Buffalo and Tonewanda to the Ogden Land Company, in the manner already described, was a grievous wrong to the Indians, and a subject of painful regret to their friends; yet, as we know, that a kind and overruling Providence, “from seeming evil, still educes good,” we are not without a hope, that it may prove so in the present case. The proximity of the Buffalo tribe to a large and populous city, was attended by many circumstances, which were very obviously, exceedingly injurious to the Indians, and degrading to their character. Their removal to Cattaraugus will greatly abate these evils. The scattered situation of the remnant of the Senecas, numbering only about 2500 persons, and occupying 114,000 acres of detached land, was unfavorable to their improvement. Under such circumstances it

was impossible, with the means in our power, to maintain a number of schools, sufficient for the education of their children. Many of the advantages of social intercourse cannot be enjoyed by an indigent people, living remote from each other. By the concentration of greater numbers at Cattaraugus, these evils have already been much diminished.

After the execution of the treaty of 1842, the Indians, feeling themselves more certain of a home, began to remove to their remaining Reservations—to clear their lands—and extend their agricultural operations. The hand of industry was seen on all sides. New settlements were made,—commodious dwellings were erected,—barns built, and their fields inclosed with new and substantial fences. But they had not long enjoyed this happy condition, before a retrospective view of their painful and disastrous struggle with the Ogden Land Company, induced many of them to inquire, what there was, in their present position, to secure them from a renewal of the struggle, and a final loss of all their lands. It was in vain that their friends assured them, they held an *absolute and indefeasible title* to their remaining Reservations, and that no power could legally dispossess them, without their own consent. But they had not forgotten that GENERAL WASHINGTON, when President of the United States, in a speech to their great and distinguished Chief, CORNPLANTER, had given them the same assurance. “Hear well,” said that dignified statesman, “and let it be heard by every person in your nation, the President of the United States declares, that the General Government considers itself *bound to protect you* in all your land, secured to you by the treaty at Fort Stanwix, in 1784.”—“In future you cannot be defrauded of your lands:—*You* possess the right to sell your lands, and therefore the sale of your lands in future will depend entirely on yourselves.”

In addition to this solemn pledge, given them by their “great Father,” the President of the United States, they had, in reply to an address that had been delivered from their nation to Dewitt Clinton, when Governor of the state of New York, received a similar assurance, viz.

"All the right that Ogden and his Company have [to your Reservations,] is the right to purchase them, WHEN YOU DEEM IT EXPEDIENT TO SELL THEM—that is, they can buy your lands, but no other person can.

"You may retain them as long as you please. No man shall deprive you of them, without your consent. The state will protect you in the full enjoyment of your property." [Stone's Life and Times of Red Jacket, page 309, 310.]

Notwithstanding these solemn assurances, the poor Senecas have from that day to the present, seen their princely domain, embracing millions of acres of the finest land in America, melt away like snow beneath a summer sun. Under the management of grasping and unprincipled land speculators, they have seen nearly all that splendid country, lying between the Seneca Lake and the Niagara River, taken from them. None of it was left to them but four or five small reservations. Notwithstanding the promise that *the General Government* would "protect them in their possessions," and the assurance that they *could not be defrauded of their lands*, they had, even within three years, seen *two of the largest and best* of their reservations, wrested from them by a *fraudulent* treaty, and that treaty sanctioned by the very *Government*, which the great and magnanimous Washington had declared was "*bound to protect them!*"

Well might this small remnant of a nation, "peeled and scattered" as *they* had been, inquire "what there was in their present position to secure them from a final loss of the little remains of their 'once extensive territory.'" Experience had taught them that the avarice of the white man is as insatiable as death,—and that their own chiefs were not invulnerable to the seductive influences of bribery and corruption. Influenced by these reflections, they became restless and dissatisfied. They called a council in the winter of 1842, '43, to consider the subject, and after much discussion, finding themselves unable to discover a remedy for the evil, they agreed to refer the whole matter to Friends.



By an arrangement with the Indians, a delegation of Friends met them in council, on the 22d of the Sixth month, 1843, in the council house, at Cattaraugus. Before embarking in this concern it was thought proper to inform the Indian Department of this appointment, and of our desire to attend the council. To this request we received the following answer.

WAR DEPARTMENT, OFFICE OF INDIAN AFFAIRS, }  
*June 20th, 1843.* }

SIR,

I have had the honor to receive your letter of the 10th instant, asking permission for a deputation of Friends to be present at a council of Indians, to be held at Cattaraugus, on the 20th inst. There certainly can be no objection to granting this request, and the Department anticipates much benefit to the Indians, from the good counsels of the members of your Society.

I regret the delay in answering your letter, which I beg leave to assure you was entirely accidental.

Very respectfully, your most obedient servant,

T. HARTLEY CRAWFORD.

P. E. THOMAS, Baltimore, Md.

The council being duly opened, an elderly chief made a short speech thanking the Great Spirit for our preservation, and for his goodness, in permitting them once more to meet us, and then added "We are glad to see you at this time. We greatly need your counsel and advice in the present critical situation of our affairs,—we are thankful for what you have heretofore done, by aiding and advising us, and we hope you will be enabled to give us advice at the present time."

"BROTHERS. We pray the Great Spirit to bless your labors among us, and that we may pursue such a course as will be for our real benefit."

The minutes of the former council were then read, by which it appeared, that the Indians had had under consideration, the subject of a better security for their lands, in the State of New York; and had requested the assistance of Friends in enabling them to accomplish this desirable object. We were now

called upon by them to say whether any thing had been done, and whether there was any prospect of effecting that object.

The Indians were informed, that owing to dissensions which had existed among them, in relation to the treaty of 1842, and to information we had received, that some of their chiefs had petitioned the Government to annul that treaty, we had concluded to do nothing in the matter of their request, until we could have a personal interview with them, to ascertain clearly and distinctly their wishes *as a nation*, and that it was for this purpose we had now met them in council.

The chiefs now entered into discussion among themselves, in which the emigration party, who had opposed the treaty, actively participated. After a warm debate, a committee was appointed from the different reservations, to take the subject into consideration, and report to a future sitting of the council.

On the following day the council again convened, when the committee produced the following report, to wit:

"The committee to whom was referred the subject of the Title to the Lands of the Senecas, having met with the committee of Friends, now attending the Council, and heard their views, have upon consideration agreed to report, to wit:

"That in order to obtain a more effectual security to the Title of our Lands, application be made to the Legislature of New York, to pass a law authorizing us to convey, in Trust, all our Lands to that state.—Conditioned 1st. That the state cannot hereafter alienate it without the consent of two-thirds of the male population of the Senecas, of the lawful age of 21 years, in Council assembled,—and 2d. That the Seneca nation cannot hereafter alienate it without the consent of this state.—The said Trust to continue so long as the pre-emptive claim to the Lands of the Senecas shall exist. But in case it shall be ascertained by consulting good legal counsel, that such conveyance in Trust cannot be made, or is not the best method of securing such Title—then some other plan should be adopted to effect this desired object.

"In order to carry out this object, we propose that the pre-

sent council appoint a committee, to co-operate with Friends, with instructions to consult the best legal authority on the subject, and report to a future council of the nation, for its consideration, what course is the wisest and best for the Senecas to pursue, to accomplish this object. Which is respectfully submitted.

Signed,

GEORGE LINDSEY,  
M. B. PIERCE,  
SAMUEL GORDEN,  
ISAAC SHANKS,  
HENRY TWO GUNS,  
TUNIS HALFTOWN,  
JACOB BLACKSMITH."

This Report was succeeded by a highly animated debate, in which there appeared great conflict of opinion, in relation to the policy and effect of the measures proposed. Some thought the only way to render the tenure of their lands secure, was to hold them in severalty,—some thought they should be held by Friends, *in trust*, for the use of the nation; whilst others *objected to any change* in the present mode of holding them. During this discussion, Friends were repeatedly called upon for their opinion and advice, on particular points, which was freely given. The operation and effects of the arrangement proposed by their own Committee, were shown; and the probable consequences of leaving the power to sell their lands, in the hands of their chiefs, were plainly indicated. Finally they were advised to adopt and carry into effect the Report of their own Committee.

Various attempts had evidently been made to impress upon the Indians, as well as others, an apprehension that, but for our interference in bringing about the Treaty of 1842, these Indians might have retained all their lands in the state of New York; or in other words, that by this interference we had in effect co-operated with the Ogden Company,

in depriving these people of their two Reservations at Tonewanda and Buffalo. It is therefore due to all parties, that a plain authentic narrative of the circumstances connected with this whole matter, should be here given, not only for the information of our own members, who are directly implicated in the transaction, but to disabuse the public.

In a paper published in Philadelphia, entitled the *THE FRIEND*, under date of the 4th month 29, 1843, there is a synopsis of the proceedings of the late Orthodox Yearly meeting in that city, in which, among other matters, is the following notice of a Report received from a Committee of that meeting as follows:

"The Report from the Indian Committee was painfully interesting. Through the influence of the Separatists and interested persons, the Treaty of 1838 has been irrevocably fixed—though Friends had taken much pains to have an inquiry into the manner it was obtained, instituted by Government, and a strong hope was entertained that it would be annulled. The Indians were induced to sign a Supplemental Treaty last spring, by which they gave up to the pre-emption holders the Buffalo and Tonewanda Reservations, comprising about 62,000 acres of their Lands, and much the most valuable. None of the Tonewanda Chiefs signed the Treaty, but earnestly protested against it."

That this Report contains a misrepresentation must be obvious to any one acquainted with the history of the Treaty of 1838. That Treaty was never "irrevocably fixed." It was rejected by the Senate—was superseded by the *amended* Treaty of 1840, and never afterwards claimed any attention of the Government, but remains to this day a dead letter. The Committee which made that Report either did not understand the subject; or have wilfully misrepresented it. Their statement contains within itself a palpable contradiction. The Treaty of 1838 stipulated for the alienation of the four Reservations. If that treaty had been "irrevocably fixed," then all the Reservations of Alleghany, Cattaraugus, Buffalo, and

Tonewanda, would have been, to this day, the property of the Ogden Land Company. And we leave it to that Committee to reconcile, their assertion with their subsequent statement, when they say "The Indians were induced to sign a Supplemental Treaty last spring [4th mo. 1842] by which *they gave up* to the pre-emption holders, *the Buffalo and Tonewanda Reservations*, containing 62,000 acres of their land." Now it must be obvious to the most obtuse intellect, that if the treaty of 1838, or even the amended treaty of 1840, had been "irrevocably fixed," these Indians in 1842 would have had no lands to "give up." It is therefore evident that these assertions are both incorrect. The truth is, by the treaty of 1842 they did not give up any land at all. On the contrary, by that treaty they received back 52,143 acres, which had been wrested from them by the *amended* treaty of 1840, and which were restored to them by the influence of our Committees, under the treaty of 1842, as is plainly shown by the letter to them, from the War Department, dated 21st. of April, 1843. [See page 116.]

The authors of this charge against the great body of the Society of Friends, composing the four Yearly Meetings of Genesee, New York, Philadelphia and Baltimore, whom these accusers are here pleased to term "Separatists," had long before they made this charge upon us, been applied to by these very Indians, *and had actually declined to render them any assistance to retain their land.* [See speeches of Israel Jamison and Seneca White, in the general council, at the Buffalo Reservation, 1843, pages 114, 115, 116.]

These speeches also show, that they had actually advised these Indians to abandon their lands and remove to the west! Under this plain developement of facts, it would seem difficult to account for the grave charge here gratuitously brought against us. Had our accusers been less influenced by hostile feelings, and more by a disposition to give a candid account of the whole matter, they would hardly have made this statement.

The treaty of 1838, by which the lands of the Senecas had in the first instance been ceded, was not made, as our accusers have asserted "through the influence of the Separatists" and others. It was made before Friends were consulted, or had taken any part in the matter. The amended treaty of 1840, by which that cession was consummated, was made in opposition to our most earnest remonstrance, after we had clearly shown its fraudulent character. Yet we see an attempt is here made, to throw the odium of that measure upon us: first, by endeavoring to fasten upon us, an invidious name, and then charging, that but for our influence, and the influence of other persons interested "a strong hope was entertained that it [the treaty] would be annulled.

The ground upon which this "strong hope" rested was, as we are to understand, that our accusers "had taken much pains to *have an inquiry* into the manner the treaty had been obtained"! Had they pursued their inquiry to the proper issue, they would have discovered that something more than mere *inquiry* was necessary to annul a treaty which had *legally* vested in the Ogden Land Company the whole of the four Reservations. They would have discovered that no Legislation of our country could legislate away an estate which had been assured to its possessors by the supreme law of the land. In a word, they would have discovered that a treaty which had been made by *three parties*, could not be abrogated by *one* of them, without the consent of the others.

On reference to the following extracts from a Report by the Committee on Indian affairs to the Senate, in 1846, upon an application made in behalf of the Tonewandas, a branch of the Seneca nation, to obtain a restoration of a portion of the very lands now in question, it will be seen, how far the "much pains to inquire into the manner this treaty was obtained" justified the "strong hope" here so confidently expressed, viz:

"The main question submitted to the Committee and now to the Senate is, whether it is competent for the government of the United States to annul the provisions of a treaty, upon

the application of one of the parties to it, or without the concurrence and approbation of all the parties. The Committee are clearly of the opinion that it is not, and that the treaty can only be dissolved by and with the consent of all the parties to it. It is said that no one of the Tonewanda band ever signed the treaty, and that it was a fraud upon them; and that fraud vitiates the treaty, and renders it void *ab initio*."—"The Committee are of the opinion, that upon the allegation of fraud, or of misrepresentation, or of non-representation, to annul and set aside an Indian treaty, would not only tend strongly to unsettle the whole of our Indian policy, but would open a field of interminable difficulty, embarrassment and expense. They therefore recommend the adoption of the following resolution.

**"Resolved,** That the prayer of the petitioners ought not to be granted."

In full confirmation that no small efforts had been exerted to make an unfavorable impression on the minds of the Indians towards us, we refer to the following extracts from the proceedings of a General Council of the Seneca Chiefs held at the Buffalo Reservation in 1843, viz:

"Israel Jemison stated that while in Philadelphia, he was informed, that a division had taken place in the society of Friends, and went on to show that his mind had been influenced against us by representations made to him by the Friends in Philadelphia, who were not of our party, and who had told him that they had no confidence in us; and advised the Indians to have nothing to do with us. He stated that himself and others had been sent by the nation, to Philadelphia, to ask assistance of the society of Friends, after the Treaty of 1838 was ratified, and that they first applied to the party there opposed to us, who advised them to remove west, and professed to be willing to assist them in doing so. He said the deputation then called upon that part of the society to which we belong, and solicited their aid. As soon as the other party found these Chiefs had interviews with us, they from that mo-

ment declined any further communication with them, because they had no friendship for us—nor confidence in us.” Jemison then added, “that he had asked these Friends, (two of whom he named,) what they would do if a great log lay in their path, which they could not themselves remove, and those who they now warned him against, offered to assist them, would they not accept the offer? To this they replied, that they would not! This, he said, convinced him, that they had no confidence in us. How then could he have any?”

Seneca White then rose and stated, “that he had been appointed by the Chiefs last evening, to say a few words which he wished the committee to listen to, as the voice of the Seneca nation—and he would now proceed to discharge the duty entrusted to him.

“We want you to understand that it is difficult for the Indians to comprehend at once all your propositions and counsel, and because of this misunderstanding, there may arise unpleasant remarks—which originate from ignorance, more than from bad motives. It is true, we did ask assistance of both parties of the Society of Friends;—the party opposed to you, considering our case hopeless, advised us to remove west—we consulted you on the subject of our affairs, when our Lands were taken from us by the Treaty of 1838, you did not advise us to go, and said you would do all you could for us—we are satisfied with what you have done, and believe it was the best that could be done for us, under the circumstances of the case.

“We wish you to understand that our confidence in you has not been shaken—we have not abated in our friendship for you, nor in our desire for your help and assistance. It is the wish of this nation that you should continue to assist the Indians—they have no others to look to, but to the Society of Friends. The Chiefs are sensible that they are not competent to manage the difficulties which frequently arise between us and the Ogden Company. They therefore look to you to render them advice and assistance in the present critical state of the affairs of the nation.



"Our affairs at present are very difficult—we hope you will not think it strange if we should trouble you many times by asking your advice and counsel. Our path is so difficult, that we cannot walk in it without your advice and assistance. I have now said all that I was requested to say on behalf of the Chiefs, and will only repeat, in conclusion, that the confidence of this nation in you, has not been disturbed, and they wish you to continue to feel an interest in our welfare."

How Friends, under this plain statement of the matter, can justly be charged with having co-operated in depriving these Indians of any part of their Lands, every one will judge for himself. How far they have been instrumental in procuring the restoration of the portion now returned to them, will be seen by the following letter, addressed to the Chiefs from the War Department, in reply to a communication sent by them, to the President of the United States, complaining of the Treaty of 1842, which dissatisfaction was no doubt the effect of the insidious attempts to prejudice them against their Friends, after they had been the means of securing that recession and Treaty.

(COPY.)

"WAR DEPARTMENT, *Office of Indians Affairs,* }  
April 21, 1843, }

"*My Friends,*

Your letter of the first of Febuary last, to the President of the United States, has been referred to this office, with instructions to me to answer it. I am sorry to discover that dissatisfaction exists amongst you, and trust that I may be able to show you all, that it is without cause.

"The nation had alienated and sold all your Land, by the Treaty of 1838. The last Treaty of May, 1842 was brought about by great exertions of your friends, who are still your best friends, and by the friendly countenance and aid of the War Department. This Treaty brings back to you two of your Reservations, and provides for you a home in New York, when

you had parted from all your Lands there, by the first Treaty; and but for the last, you must have removed west. This surely is a great accommodation to you; and besides, you are to be paid for the two Reservations you have parted with. The last Treaty has been ratified and confirmed by the United States, and you must remove; any attempt at remaining will be fatal to you, and I advise you as a friend, quietly to remove to the Reservations that are left to you.

Your friend,

T. HARTLEY CRAWFORD.

To the Chiefs of the New York Indians,

Jemmy Johnson, Henry Two Guns and others.

Akron, N. York.

Notwithstanding this friendly admonition, from official authority, given with the kindest intentions, by the head of the Indian Bureau, who had uniformly manifested a paternal regard for these Indians, yet, contrary to our repeated advice, they were still counselled to persevere in their determination to resist the treaty, and refused to avail of the opportunity offered them, to settle on either the Alleghany or Cattaraugus Reservations.

The Buffalo Indians, who followed the advice of Friends, gradually removed to Cattaraugus. The moneys they received for the improvements they had relinquished, they appropriated to the erection of comfortable dwellings, and opening new farms. Their children are now receiving an education to fit them for civilized society. In the mean time the poor deluded Tonewandas, after being kept for years in a state of unsettledness—perplexity and anxiety, are now to be hurried off *en masse* without the necessary preparation, to seek homes where they best may find them, or to ruin themselves by expensive, and useless law suits.

The delegation having accomplished the objects of their visit, previous to withdrawing from the council, one of their number addressed the Indians as follows :

"BROTHERS! We are now about to leave you, in order to return to our respective homes, and before we part we wish to say a few words to you. Our forefathers and your forefathers made a covenant with each other, in which they mutually promised that their friendship should continue so long as the sun and the moon should endure. We do not wish that friendship broken. We profess the same principles by which our forefathers were governed in their benolent endeavors to improve the condition of your people—we speak the same language which they spoke to you. When we look back and remember what was your situation when our fathers first came to see you in the wilderness—when you had but a very small portion of your land cultivated, and your people were much given to intemperate habits, to the great injury of your nation, and compare your situation then to what it is now, it is cheering to us to see the improvement you have already made, not only by discarding the use of spirituous liquors, but also in your mode of procuring the necessities of life by cultivating the earth. This is encouraging to us, and we believe your comforts will continue to increase as you improve in habits of temperance and industry.

"BROTHERS! Our fathers long ago advised you to withdraw your women from the labors of the field, that they might attend to domestic employments—this is their proper business—while the men should engage more extensively in agricultural employments, and in those trades and occupations that will promote the good of the whole community. This advice we repeat to you, and desire to impress upon your minds the importance of attending to it.

We affectionately exhort you to become united, and live in peace with one another and with all men. This is one of the greatest blessings you can enjoy. It will enable you to overcome many difficulties, and will be a source of great encouragement and gratification to your friends. If you live in peace the Great Spirit will be with you, and His blessing will rest upon you.

"We wish you to keep your children steadily at school, and thus secure to them that moral and literary instruction that will elevate them to the rank of intelligent good citizens, and crown with full success the long and patient labors of your friends, for the happiness and prosperity of the Seneca nation.

**BROTHERS!** Notwithstanding we have made a long journey to see you, and have encountered many trials, yet we are glad that we have had the opportunity of shaking hands with our Indian brethren, assuring them of the interest we feel in their welfare—and we wish that our parting may be under feelings of mutual friendship and good will. Sincerely desiring for you the protection of the Great Preserver of men, whose providential eye is upon you as well as upon us, I bid you for myself and for the Friends now present—farewell."

Governor Blacksnake, a very aged chief, supposed to be near one hundred years old, who had attended all the sittings of the council, and had travelled forty miles on horse-back, in one day, that he might be present, now rose and made the following concluding remarks:

"**BROTHERS AND FRIENDS!** You have now taken leave of us, and are about to go—before we separate I wish to say a few words in conclusion. The communication you have made—and the advice you have given us is intended for our instruction that we may become a happy and a prosperous people.

"You have advised us how to conduct our business—you have told us that our women should be taken from the field, and employed in the house, and that the men should attend to the employment of the field; you have also given us some general instructions for the whole—all that you have said is correct—you spoke also with regard to the instruction of our children, that they might become intelligent and useful citizen; we thank you for this advice—we wish you to understand that all these things are in progression, but we are happy to hear you repeat these things to us.

"Now in conclusion we will endeavor to remember you in our prayers, that you may return safely to your homes—we

will also hope that at some future day, we may be permitted to meet you again. We are glad you continue to feel so much interest in our welfare. It is a long time since our fathers have covenanted with your fathers that there should be a friendship between you and us.

"We have remembered all these things—we now put them all together—we feel grateful for your kindness—we are also happy to see our friends and sisters, that are with you, who have come here for the purpose we suppose, of looking into the condition of the Indians—we return our thanks for their kindness. This is all we have to say, now you are about to retire."

The business of the council having been brought to a satisfactory close, it was now adjourned; having first *Resolved*, with a single dissenting voice, *to abide and carry out the treaty of 1842*; and secondly, determined immediately to call on the Government to see that the treaty be faithfully executed on its part, as well as on the part of the Ogden Company. In these proceedings the Tonewando chiefs cordially united, of course the late schism, which had unhappily been produced between these sections of the Seneca nation, it is hoped, is healed.

In order to carry out the decision of this council for obtaining further security for their lands, the Seneca nation, as a preliminary measure, in a General Council held in the year 1845, *Resolved* to reorganize and change the form of their government. After mature and deliberate consideration, they, with great unanimity adopted the following "Constitutional Ordinance," for the future government of the nation, copies of which were duly delivered to the governors of New York, and Massachusetts, and to the President of the United States; as formal and official notice to those authorities, of the only conditions on which the lands of the Seneca nation, could hereafter be alienated.

*A Constitutional Ordinance of the Seneca Nation, in General Council Assembled.*

WHEREAS, the usage, practice and custom of the Seneca nation of Indians, to sell and dispose of their lands by the consent and agreement of a majority of their chiefs, without the express consent of the warriors and people of the nation, has in these latter days of our weakness and limited territory, given great uneasiness to our people, and created an apprehension among them, that while this power continues to be thus vested, their homes will be insecure, and has impressed them with the belief, that they and their children must lie in continual fear that their lands will be sold without their consent, and the deepest misery thus entailed upon them and their posterity. And, whereas, a general council of the whole nation was convened at the council house at the Cattaraugus reservation, on the 28th day of January, 1845, for the purpose of considering this subject, and of so altering our political usages and organization as after mature deliberation, it should be deemed wise and expedient. And whereas, also, the Sachems, Chiefs, and Headmen of the said nation, duly assembled in such council, have after full discussion and mutual deliberation, determined that the welfare of the nation, and the security, prosperity, and happiness of their people require, that the express assent of the warriors and people, as well as of the chiefs of the nation, should be necessary to a valid sale or disposition of their lands: THEREFORE, we the chiefs and representatives of the Seneca nation of Indians in such general council assembled, acting for and in behalf, and by the authority of the said nation, and in the exercise of the inalienable right of the said nation to alter and modify their political customs and usages, when it becomes necessary for their security, prosperity, and happiness, do hereby, in the name and behalf, and by the authority of the said Seneca nation, resolve, determine, ordain, publish and declare, that our political usages, customs, organizations, and constitution be, and the same are hereby altered and amended, so that

no sale or disposition of the whole, or any part of our lands hereafter to be made, shall be valid or of any effect, unless the same be made in full and open council of the chiefs and warriors of the nation, and by the express assent of two-thirds of the chiefs, and of two-thirds of the whole residue of the male population of the nation of the age of twenty-one years, whether attending such council or not, such assent to be given in writing, under the hands and seals of the parties in full and open council of the chiefs and warriors of the nation, assembled together in one council; but nothing herein contained shall in any manner alter, change, effect, lessen or diminish, the rights, powers, duties, privileges or authority of the chiefs in any other matter or respect whatever.

AND WE DO FURTHER RESOLVE AND DETERMINE, that this ordinance or act of the nation, be entered at length in the records of this council, and that four copies thereof be signed by the chiefs assenting thereunto, one of which copies shall be delivered to the President of the United States, with the request that the same may be deposited with the archives of the United States; one of which shall be presented to the Governor of this State, with a request that it be sanctioned by the State and filed with its Records; one of which shall be presented to the Governor and Council of Massachusetts, with the request that it may be deposited among the archives of that commonwealth, and kept in perpetual remembrance by its Governor and Council, and the other of which shall be deposited and kept with the archives and records of the Seneca nation.

DONE AND SIGNED in open council at Cattaraugus, the thirtieth day of January, 1845.

JOHN SENECA,  
and 49 other chiefs.

The Senecas afterwards signed and presented to the Legislature of the State of New York, the following petition, for the purposes therein expressed.

TO THE LEGISLATURE OF THE STATE OF NEW YORK.

*The Petition of the Seneca Nation of Indians.*

RESPECTFULLY REPRESENT

That the Seneca nation, once the powerful and courted ally of sovereign nations, have dwindled away into a weak band, depending for its very existence upon the protection of the General Government, and of the State of New York. Their lands too have been torn away from them, and they stand now only upon four insignificant parcels of the broad territory they once covered with their people. Of these four reservations, two and the best two, they are told have been sold by their chiefs to the Ogden Company, and the Alleghany and Cattaraugus reservations yielding each individual of the nation scarcely twenty-five acres a piece, are the last of their possessions.

You are the guardians of our nation. Consider our condition, and protect and shelter us. The Great Spirit made the red man as well as the white man, we are brothers. The Great Spirit looks down upon the world. He will ask you, "where is your weak red brother whom I put in your hands that you might guide and guard him?"

We are failing fast, we can find no safety unless it be under the shadow of your Laws. Our old men have thought deeply,—they tell us so.

We are poor and ignorant. We know not what will be good for us. We ask you to think for us and act for us. We will tell you our griefs and our fears. We wish to live in this land, once all our own, near our white friends, who will be the friends of our children, that they who come after us may look out from the dark places where we have been driven, and bring in the lights of the wise men, morality, learning industry and the arts; that they may become white in soul, and your people and our people become one.

Let not our lands be taken from us. If our chiefs can sell our lands the white buyer will come to the edge of our reservations with money, and whiskey, and promises of lands, and



will call over the chiefs, one by one, and talk with them, and there will be a council and long talk : and when the council has broken up chief after chief will put his mark to some paper in the woods, or in his wigwam or in some grog shop, or lawyer's office, and our children will have no land to stand on. These things have been. Let them be so no longer. The humblest member of the nation has as much interest in its land as its most powerful Sachem. Our young men have a greater interest than our old men, for they have a longer time to spend ere they go to the land of spirits. A few men may be corrupted, but the nation cannot be, or if it can, it is not worthy of protection.

The white man cuts our timber. The white man's law makes him pay money for it, and puts the money into some other white man's pocket. Why not make him pay it to the Indian ; we go into your courts, and we are told, " you cannot stay here, these places are made for white men, and not for you."

The land thief comes and steals our land, and builds a saw-mill on it, to saw the logs stolen from the poor Indian's land, and we cannot bring the law to drive him off.

Let your courts protect us in the full enjoyment of our rights as they do the white man.

Give to our nation the right to sue for and reclaim in the name of " the Seneca nation of Indians " the lands belonging to us, and to maintain actions for all and every injury done to them, or their timber thereon, as amply in all respects as it provides for the white man, and the protection of his rights and property.

By your laws if a man approach one of your Judges, Sheriff or other public officers with a bribe, to induce him for money to violate his duty, or betray his trust, he is punished by fine or imprisonment.

Give us and our nation the benefit of such a law to secure us, against the intrigue and competition of the white man, in his attempts to corrupt and defile our chiefs, or any of our

people. And in fine do and provide for us, by plain and wholesome laws such as we need and your wisdom may decree.

And your petitioners, as in duty bound, will ever pray, &c.  
*Cattaraugus Council House, January 30, 1845.*

(Signed by fifty-five chiefs.)

A Committee of the Senate appointed to consider the foregoing petition made the following report, whereupon the Law as desired was duly passed.

### REPORT

*Of the Committee on Indian Affairs on the Assembly Bill in relation to Seneca Indians.*

Mr. Hard, from the committee on Indian affairs, to which was referred the engrossed bill from the Assembly, entitled "An act for the protection and improvement of the Seneca Indians, residing on the Cattaraugus and Alleghany reservations, in this State:"

### REPORTS:

That the committee have had the same under consideration, and have given to it the care and attention which its importance seemed to demand and have come to a conclusion favorable to the passage of the bill.

Past experience has abundantly proved that the native Indian and Anglo-American, cannot, or will not, unite by assimilation into one social community, obeying the laws and adopting the customs arising out of the same civil compact, and of consequence it has been deemed necessary for the State Government ever since its formation, to tolerate and give its legal sanction to the establishment of a distinct, and to a certain extent, an independent community, in the heart of our territorial dominions.

Recognizing the principle, that no intelligent philanthropic mind will now dispute, that the native Indians are absolute owners *in allodium*, of all the lands, until divested of them by

their own voluntary act, the State Legislature has guarded, by the most severe penal enactments, the rights of the Indian; and hence, in year 1777, in the formation of the first Constitution of the State, so important a matter was *deemed* the protection of these honest sons of the forest, from the arts and intrigues of their more successful competitors, that an article was inserted therein, prohibiting the purchase of any of their lands without the consent of the Legislature.

About fifty years ago the Seneca nation had a constitution, prohibiting the sale of any of their lands without the consent of all the chiefs of that nation; and even with this strong constitutional check on the power of alienation then lodged with their chiefs, the white men through the corrupting and stultifying influence of intoxicating liquors, found facilities for robbing them of millions of acres of their lands without rendering even a shadow of an equivalent. Following the example however of their civilized neighbors, they modified their constitution, and adopted the majority rule, which for a time controlled their sales, requiring only a majority of the chiefs assenting to give validity to sale. This rule continued until the 31st January, 1845, when the nation or the miserable remnant of the ancient Seneca nation, in a council of their chiefs, again modified the constitution, wherein they declared the sale or transfer of any lands null and void unless it received the assent of two-thirds of all the warriors, chiefs and adult male citizens of the nation. This constitutional ordinance of the chiefs has been duly authenticated and filed with the Secretary of State, a copy of which accompanies this report. [See pages 121, 122.]

The third section of the law under consideration is intended to give a legislative sanction or recognition of this modified constitution.

This section, and the eighth section, are the only parts of the bill which meet with serious opposition, and that opposition is interposed solely by the Ogden Company, (so called,) as will appear by the accompanying remonstrance, signed by Joseph Fellows, who represents himself as the surviving trustee of the company.

The remonstrants claim to be the rightful owners of the pre-emption right of soil of the two aforesaid reservations, and complain that the bill in question if it becomes a law will interfere with this pre-emption right. It is the misfortune of these, that although they are the most interested party in this whole matter, they are not allowed a participation in any legislation in regard to it. The voice of the red man is not heard either in the Senate or the forum, and of course can have no direct influence in the making or the administering of the laws. They are dependent entirely for aid in all their matters upon the intervention of friends, whose services are gratuitously bestowed.

Mr. Pierce, one of the Seneca chiefs, an intelligent and sagacious man, who seems to take a deep interest in the moral and intellectual welfare of his people, has attended during the session of this Legislature as an agent of that nation, and has afforded to the committee much useful information touching the subject of this bill. He has consulted some of the ablest legal counsel in the State, and has obtained from one, the late Secretary of War, a written opinion in regard to the soundness of the company's objections to the provisions of the bill, which the committee beg leave to adopt as a part of their report, as it very fully presents the history of the right and title claimed by the Ogden Company, as well as the legal character and extent of that claim.

*Opinion of the Hon. John C. Spencer.*

"It is understood that objections are made by Joseph Fellows, Esq., and others, belonging to what is called the 'Ogden Company,' to the third and eighth sections of the bill entitled 'An act for the protection and improvement of the Seneca Indians, residing on the Cattaraugus and Alleghany reservations, in this State.'"

The objection to the third section is, that it interferes with the vested rights of the Ogden Company, who had the pre-emptive right to purchase from the Senecas their reservation. By the convention between the State of New York and the

commonwealth of Massachusetts, made at Hartford on the sixteenth day of December, 1788, the State of New York ceded to the commonwealth of Massachusetts, "to the use of the said commonwealth, their grantees, and the heirs and assigns of such grantees forever, the right of pre-emption of the soil from the native Indians, and all other the estate, right, title and property which the State of New York had in, and to the lands" lying west of the Seneca Lake. By the ninth clause of the convention, the commonwealth of Massachusetts was authorised to hold treaties and conferences with the native Indians relative to the property or right of soil of the land ceded. The tenth clause is as follows: "The commonwealth of Massachusetts may grant the right of pre-emption of the whole or any part of the said lands and territories, to any person or persons, who by virtue of such grant shall have good right to extinguish by purchase the claims of the native Indians; provided, however, that no purchase from the native Indians, by any such grantee, or grantees, shall be valid, unless the same shall be made in the presence of, and approved by, a superintendent to be appointed for such purpose by the commonwealth of Massachusetts, and having no interest in such purchase, and unless such purchase be confirmed by the commonwealth of Massachusetts."

This State always asserted the right, and acknowledged the duty of protecting the Indians within its limits, from frauds and imposition; and in the thirty-seventh article of the Constitution of 1777, it was provided that no purchase or contracts for the sale of lands made with or of Indians within the limits of this State, should be binding on the said Indians, or deemed valid unless made under the authority and with the consent of the Legislature of this State.

The cession of the commonwealth of Massachusetts, and the stipulation authorising the commonwealth to grant to any person the right of pre-emption—that is, as expressed in the cession, the right to extinguish by purchase the claims of the native Indians, are to be regarded as conferring the authority and

giving the consent of the Legislature, that the grantees of Massachusetts might by purchase extinguish the Indian title.

This consent did not, and could not, from its nature, transfer to, or vest in the grantees from Massachusetts, any right or interest in the Indian claims; it was an inchoate executory authority to purchase. It merely confined and restricted to particular individuals a privilege, which might have been given to all the citizens of the State. The nature of this privilege must be the same, whether confined to a few or extended to all. And it is conceived that those who possess it, have precisely the same right to purchase of Indians, which any citizen has to purchase of another citizen, and neither more nor less. With respect to them, a disability imposed by the Constitution, is removed, and they stand exactly as if no such prohibition had been imposed. They have acquired nothing but that which every citizen would have possessed in the absence of any constitutional or legal prohibition.

If this view be correct, and no reason is furnished to doubt it, the Legislature of the State must necessarily possess the same authority, to prescribe the manner of purchase, and the form of conveyance, in relation to the sale by Indians of their interest in lands, as it would possess in relation to sales of real estate by other inhabitants of the States—the same authority as if no prohibition had ever existed. It could require the bargain to be reduced to writing, to be executed in the presence of witnesses, and to be sealed by the parties. And if any peculiar reasons existed for extraordinary precaution, arising from the supposed incapacity of any parties, the Legislature might require an acknowledgment before a competent officer, made apart from persons who might be supposed to exercise an undue influence. And upon the same principle, other guards and restrictions to secure fair dealing must not only be within the competency of the Legislature, but must often be among its highest and most imperative duties.

With what propriety could any citizen having the undoubted right to purchase lands, object to such or similar restrictions

and guards upon the power to sell by any other citizen? The right of purchase must, like all other social and political rights, be subject to the general and supreme authority of the State, to prevent frauds and secure justice. And it is not perceived how any law passed in good faith for such a purpose, can be said to impair the right of purchase, which citizens at large or any select few possess. It will not be claimed that either a general or special right to purchase is a right to circumvent,—to obtain property for trifling or inadequate considerations; and if it be not, it cannot be impaired by legislative provisions intended and calculated to prevent imposition, and secure the full value of what may be purchased.

Such is the character of the provision in the third section of the bill under consideration. The property, interest or claims to which it relates are national,—they belong to the Seneca nation of Indians collectively. While they are of great value to the whole nation, the interest of an individual chief is comparatively small, and may be easily over-balanced by a direct pecuniary consideration to himself. His personal and private interest may thus be brought into dangerous conflict with his public trust and duty, as a chief,—as a father of his nation. Surely an exigency is thus presented requiring an extraordinary guard, and what check or restriction upon improvidence, not to say venality of Indian chiefs, can be more just, reasonable and effectual than that which our own Constitution has adopted to prevent the improper disposition of the public property for local or private purposes, by those holding legislative trusts in our State? This remark is made for the purpose of showing by the example, that such a provision is in itself reasonable, and a fair and legitimate exercise of the power to prevent frauds.

The third section adopts and sanctions the arrangement made by the Seneca nation, among themselves, requiring the assent of two-thirds of their chiefs in council assembled to the transfer of their national property, of the small remnant left of their once mighty possessions. Without a legislative sanction, it is

liable to be repealed by the same majority which may exist at any time in favor of a sale of their reservations. Hence the Seneca Indians, being now united on this question, ask of the Legislature to give force and effect to what they wish to make a fundamental constitutional provision, but which cannot otherwise be made such. Regarded as the pupils and wards of the State, which has always exercised a paternal care over them, which has constantly shielded them by special legislation from the consequences of their own imperfections, and the insidious designs of white men, and which looks upon them as incapable of competing with the arts of civilized men, they ask that this guard may be thrown around them to insure deliberation and unanimity. They complain that recently the assent of some chiefs to a disposition of the national property has been procured of them individually in private, and not in council, and they are anxious to put an end to a practice that exposes them to such situations and such hazards, and endangers their domestic peace. Can any thing be more reasonable and more just. Ought it to be objected to by any one wishing to deal fairly and honestly with them? Would a syllable be heard against it if the right to purchase of them was open to every citizen of the State?

If then the provisions of this third section are in themselves just, if they are a fair exercise of the Legislative power to prevent frauds and secure justice in bargains between inhabitants of this State, and if they are peculiarly appropriate and adapted to the condition of an unfortunate race, whom we are bound by the most imperative considerations to protect, how can they impair any right of fair and honest purchase?

It is intimated, in the memorial of Mr. Fellows, that the usual mode of purchasing or extinguishing the Indian title, has been by treaty at a council, at which a majority of those present controlled. This is doubted as a historical fact. On the face of the contracts made with the Indians under treaties, it would appear that they expressed the united sentiment of the nation. Hence many of the treaties and contracts are signed



by a few chiefs, and not one-fourth of the whole number. They signed as representatives—delegates, expressing the sense of their whole nation—and not individually. It is doubted whether the Indians have known or been governed by the majority rule, and it is believed that in their deliberations they have endeavored to ascertain the general sense of their councils, and when ascertained it became the unanimous and united sense. And it is believed that this idea of a mere majority is of very recent date, not earlier than the year 1838, and that it is in itself an innovation. As it conforms to the customs and habits of the whites on ordinary occasions, it has been received among them, as a rule for the Indians. The Senecas say that it is not a safe rule for them, that it does not afford them sufficient security against improvidence or venality. And they impose upon themselves a rule requiring the assent of two-thirds of their chiefs in council. It is not understood that any objection is made on the part of the Ogden Company to the Senecas furnishing to themselves the conditions, manner and form in which they will sell their own property. It would scarcely be urged by intelligent men, that the right of purchase is so comprehensive as to destroy all discretion and option in the sellers. The objection then is not, for it could not be, to the Seneca Indians making a law for themselves in respect to the subject in which they are a sovereign nation,—but it is to that law being made effectual—being made something more than waste paper, by the legislative authority of the State. But surely the confirmation of a law in itself right and just, cannot be otherwise than right and just; it can have no other character than its original.

With respect to the eighth section, it is impossible to perceive what objection of a legal character can be made to it. Chiefs are nominated by families to the tribes or other families, and if approved by them and by the council of chiefs, they are admitted. This is the usual course. But among people not very strict in the observance of forms, irregularities will occur, and innovation causes other and greater irregularities. In the

system of self-government proposed by the bill, it will be impossible to advance a single step without the means of determining who constitute the great council of the nation—its chiefs; and unless means are provided for a probable determination, it will be made by force and violence, or the whole system will be broken up. Mr. Fellows' memorial admits that purchases are to be made of the Indians through their chiefs. How can the right to purchase be impaired by a legal mode of determining who are such chiefs? And what better mode can be devised than the one proposed? So far from obstructing or impairing a fair and honest purchase, it would be facilitated by ascertaining with certainty the agents authorised to make the sale. The very first preliminary in all treaties is an exchange of powers, that each party may know they are treating with those competent to act. To leave the official character of those claiming to be chiefs, in doubt,—to open the door to all sorts of claimants, might promote purposes of fraud, but would perplex and defeat honest negotiation."

The committee fully concur in the views presented by that distinguished jurist and constitutional lawyer. And believing as they do, that the bill is both constitutional and expedient, and in none of its provisions substantially calculated to infringe upon any vested rights of the company, and believing too, that if it becomes a law, its provisions will effectually promote the civil and intellectual prosperity of that hitherto oppressed and defrauded people, they feel constrained to recommend its passage into a law."

Upon receipt of this report, the Legislature proceeded to pass an act, entitled "an act for the protection and improvement of the Seneca Indians, residing on the Cattaraugus and Allegany Reservations in this State." This act was carefully drawn, and, while it provided for the Senecas, a mild municipal government, the powers of which were to be executed by themselves, it also embraced two very important objects—the protection of their timber, and the total exclusion of spirituous liquors from their villages.

At the time this bill was before the Legislature at Albany, a delegation of Friends attended to the concern there, and had several interviews with the Governor and committees of both houses to explain the situation of the Indians, and the grounds of their present application, and rendered such other aid and advice as circumstances made necessary.

That body manifested an interest and feeling for the Indians within their limits, highly gratifying to the delegation, and honorable to the state. Indeed, the uniform justice and compassion of the Commonwealth of New York, toward the Six nations, who were located on its territory, presents in retrospect one of the most pleasant scenes on the pages of our history. When the Senate of New York, in the spring of 1842, understood that a treaty was to be held at Buffalo, under the authority of the General Government, and having relation to their lands,—they, without any solicitation from the Indians, or from Friends, delegated Abraham Dixon, one of their number, to attend the Council, held on that occasion. An address which he made at that time, gives a fair and deeply interesting sketch of the conduct of his state, in relation to the Indians. “You know,” said he, in an address to the Chiefs, “that this State has always treated the Indians with justice and humanity. We have enacted laws for your protection and benefit,—granted you liberal annuities, and paid them punctually. We have never taken from the red man his lands, but by honorable purchase, and a fair equivalent. The people of the state have deeply sympathized with you in your difficulties with the Ogden Company, in relation to your lands. The Legislature participated in this feeling, and while they had the subject under consideration, the last winter, they were rejoiced to learn that a door had been opened, by which you might escape from dangers, which you and others thought, awaited you; and they sent me to be present on this occasion, to give you such advice and assistance as I could.”

Subsequently, the Legislature of New York has extended the general benefits of the school system to the Indians, yet

remaining within the State, and have appropriated liberal funds to erect the necessary school houses, and pay qualified teachers to instruct the Indian children.

In the sixth month, this year, 1845, the General Committee on Indian affairs appointed a delegation of men and women Friends, to visit the Indians, and to have a conference with them in relation to several subjects deeply affecting their future welfare. The principal concern of Friends at this time, related to the condition of their females. The old Indian custom of employing them in the fields was yet continued. It was clearly seen that the civilization of the tribe, could never be fully perfected under such a system. It was a subject of some difficulty, arising from the inveteracy of long-continued habits, but it was believed that little further progress could be made towards a higher state of society, until this custom should be broken, and the women be more confined to the cares and employments of domestic life.

This council was opened at Cattaraugus, on the 15th of the 7th month, 1845, with a few introductory remarks by a member of the committee; upon which Daniel Two Guns, a chief at the Cattaraugus reservation rose, and on behalf of the Seneca nation, expressed gratitude to the Great Spirit for the preservation of the committee during their long journey, and the great satisfaction it afforded the Senecas once more to meet their friends in council. After these preliminary remarks he informed the committee that the chiefs were now ready to hear whatever we might desire to say to them.

A member of the committee then addressed the council as follows:—

BROTHERS!

“On considering the situation in which you have been placed by the important change that has been adopted in relation to the tenure of your land, as well as in regard to your social condition and civil rights, your friends have believed that it would be proper to have a conference with you, respecting

some matters which they apprehend deeply concern your future happiness and prosperity: they have therefore requested you to meet them, at this time, in the present council.

"Having, after much labor and perseverance, secured to you the possession of your remaining land, and with your co-operation, succeeded in placing the title in a situation which will put it out of the power of any one to deprive you of it, except with your own consent; the object originally undertaken by the joint committee of the four Yearly Meetings of Friends has been accomplished, and we might therefore now dissolve our connection, and withdraw from you. You are the undisputed owners of the homes that have been restored to you, and have been taught how to cultivate your farms; and such of you as have been industrious and prudent, have acquired a practical experience of the advantages of relying on this means of subsistence, in preference to an uncertain dependence upon hunting, even were there game within your reach.

"It was the design of the Great Spirit that men should labor, and not pass their lives in idleness; it is therefore our duty to be employed in doing something for our own subsistence, and for the benefit of the community in which we live. Even among the white people, where any persist in a life of idleness, they generally fall into bad health and vicious habits, which in the end, mostly bring poverty and disgrace on them and their families. The same will happen to you, should you be so unwise as to spend your time in sloth and indolence;—Believe us, there is nothing but steady industry and correct moral deportment, that can render your situation a comfortable one, or preserve the small remnant now left of the Seneca nation, from utter destruction.

"BROTHERS! We need not remind you that the Senecas were once a very numerous and powerful people, and that your tribe has produced some very eminent and illustrious men, whose names are incorporated into the history of our country, and will never be forgotten while that history is preserved. The confederacy to which you belong, held the country be-

tween Lake Erie southward, as far as to the tide waters of the Susquehanna and Delaware rivers, and eastwardly along the shores of the Iroquois to the Horicon Lake. You cannot be unacquainted with the causes which have reduced you to your present feeble and impoverished condition—these causes may easily be enumerated—they may clearly be traced to the idleness and intemperance of your men! and if persisted in, they will go on rapidly to destroy the remnant yet left of your people, so that in a few years more, the council fire of the Senecas would forever be extinguished.

“Idleness and vice are so closely allied that they cannot be separated—or in other words, an idle man is always subject to fall into vicious habits, while an industrious employment of our time in some useful occupation, improves our health, gives vigor and strength to the body, and promotes the growth of virtuous principles in the mind. We therefore earnestly repeat to you, that if you desire to be prosperous and happy, you must root out idleness from amongst you:—a man who will not labor in some way for the support of himself, and for his family, if he has one, can be of no use, but must be an incumbrance on the community in which he lives.

“We have on several occasions heretofore stated to you, that we believed it was necessary a change should take place in the apportionment and distribution of labor among you; we are satisfied the time has arrived when this change has become indispensable to your comfort, and indeed we are convinced that circumstanced as you now are, the existence of the Seneca nation cannot be maintained, unless the change proposed is made.

“You say you desire to raise yourselves to the condition of a civilized, intelligent people; can you reasonably expect to do this, while your wives and daughters continue to be employed in the menial labor to which they have so long been subjected? We tell you plainly it will be impossible, and that there is not now in the whole world, nor has there ever been, any nation or people, who held their women in a state of servile

dependence, and imposed upon them the severe drudgeries of hard labor, that ever were or ever could be civilized. It is the peculiar characteristic of savages, and not of civilized men, to treat their women in this way; and besides, it is perverting the wise order and purposes of Providence, and ought not to be tolerated.

“How can you expect that your wives can rear civilized, intelligent children, when they themselves are left without education, and are kept in a state of degraded ignorance?—Surely such mothers can only rear ignorant and barbarous children! Do you not know that it is to mothers we are to look for the necessary care and instruction, in cultivating the seeds of virtue, and every noble principle, in the breasts of children? If then you desire to see your offspring intelligent and virtuous, let their mothers, by suitable employments and education, be qualified to give them the proper training and instruction to render them so.

“It is now many years since we first began our efforts to be useful to our Indian brethren; we saw that their numbers were daily diminishing under the many hardships and sufferings to which they were exposed, and that unless something could be done to improve their condition, the whole race would, at no distant day, be swept from existence; and remembering the friendship that had subsisted between our fathers when they first came to this country, and your fathers, we felt our hearts warmed with pity towards you, and believed it to be our duty to give you such advice and assistance, as we might be able to render, in the hope, that by instructing you in the ways by which we obtain a comfortable support, we might, by the aid of the Great Spirit, become instrumental in bettering your condition, and averting the ruin that seemed to threaten you; it must be acknowledged that in the course of our labors we have met with much to discourage us; we are sensible that many of the difficulties we have encountered, have arisen from the insecurity of the tenure by which your lands were held—this difficulty so far as regards you, is now happily removed—

you are by the Legislature of New York, acknowledged to be the indisputable owners of the land that has been restored to you, as long as you may choose to hold it—the same assurance has been given to you by the United States and by the State of Massachusetts—a clear and well defined regulation has been established, by which alone, these lands can hereafter be alienated, and by which you are protected against fraud—you are, by law, recognized as a political body—the courts of law are opened to redress your grievance, should any occur, and competent counsel has been provided to see that justice will be done you—a wise system of municipal government, adapted to your necessities, has been provided for you; and you have now only to avail yourselves of these important advantages, and judiciously exercise the powers that have been conferred upon you—be sober and industrious, change your system as regards the employments of your females, and elevate them, by a suitable education and treatment, to the position they ought to occupy, and your prosperity will then be placed upon a firm and permanent basis.

“One of the principal objects of our present visit is, to endeavor to impress upon you the importance of these measures, and above all, the absolute necessity of your adopting a different course from that you have heretofore pursued, in regard to the division of labor among you; and we tell you plainly, that it is our settled opinion, unless you consent to this, all our labors to benefit you, will, in the end, fail. Indeed, without the change now proposed, our hopes of being able to avert the evils which must follow your present course, would be extinguished, and all prospect of our doing you any good would be at an end. In that event we would prefer to withdraw from you, rather than by remaining near, be obliged to witness the ruin which we believe would come upon you.

“But we hope better things for you—we hope you will listen to the advice we have given you—that your men will now settle themselves permanently at the homes which cannot be taken from them, and that they will diligently apply them-



✓ selves to the cultivation and improvement of their farms—that you will withdraw your females from the labors of the field and other employments not adapted to the delicacy of their sex—that you will give them suitable educations, leave them to be occupied in the care and business of their household affairs, and place them in a condition to become your prudent advisers and useful companions. You will then find them wise counsellors and true friends.

“As we have here before told you, our object in uniting our efforts was, to secure for you a home that could not, without your consent, be taken from you,—that has been done as effectually as, under all circumstances, could be expected; this being accomplished, and our original purpose effected, we might now be justified in withdrawing, and leave you to walk alone; but upon considering your situation, it has appeared to us, that you still stand in need of some help, not as regards the cultivation of your land, because this you already understand, and can readily do, if you are disposed to be industrious; but we believe you still require assistance, in the education of your children, and instructing your females in the employments which, we believe, they should hereafter be engaged. If you approve of these measures, and it be your wish we should in this manner assist you, we are disposed to continue our efforts to do so, by continuing the school amongst you, where as many of your children as you may be inclined to send, may be taught to read and write, and also be instructed in such higher branches of learning as circumstances may admit of. In addition to this, we propose to continue to receive into the family of the Friends we may place to reside among you, as many of your young women as can be accommodated, and there instruct them in all the branches of female employments, which will be necessary to enable them to become good housekeepers, and suitable companions of intelligent and industrious husbands, and qualify them to train up their children in habits and principles which will render them respectable, good citizens.

"We have deemed it proper on this occasion, to open our minds freely to you, in order that there may be a clear understanding between us. You cannot doubt that our purpose is to do you all the good we can, and it is proper you should be plainly informed of our views. It will not be in our power to effect any thing for your benefit, without your cordial and zealous co-operation—We can do no more than point the way in which we think you ought to go, and it will be for you to say, if you will walk in it; or if you will prefer to travel along the downward path in which you have so long wandered, and which has already led you to the brink of ruin, and if persisted in, must finally lead to your extinction. As regards ourselves, we have, under the influence of a sincere desire for your welfare, given you the best advice in our power—we shall now wait to receive your answer, and will carry back your words to our friends, who have delegated us to hold this conference with you."

This address was carefully interpreted, and was listened to by the chiefs with marked attention. After a short conversation among themselves, a chief rose, and informed the committee that the subjects proposed by Friends would receive a deliberate and careful consideration, and that when prepared, the chiefs would return their answer.

Upon this, the committee withdrew, and left the chiefs in earnest deliberation upon the matters that had been proposed to them.

On the following morning, soon after the Council had been convened, a deputation waited on the committee, and invited them to attend. After some pause, and a short conference among the chiefs, a distinguished Sachem rose, and having expressed thanks to the Great Spirit, that so many of us had been permitted again to meet in council, on the business that had brought us from a far country, to see them, he addressed the committee as follows:

"BROTHERS! We are sensible that the business which brought you here is an important business. You have, at your

homes, considered the situation of our people, and have concluded to visit us once more ; and to continue to advise and assist us. You have told us that one matter of great importance to our people has been settled—that our remaining lands, comprising the two whole reservations of Allegany and Cattaraugus, have been restored and are secured to us—and that, by the kindness and humanity of the New York Legislature, we are protected by the strong arm of the law, from the depredations and frauds formerly committed on our lands and people.

“BROTHERS ! You say that this important concern being settled, you have now come to propose some change in our customs and habits, which you deem essential to our future progress, toward a state of civilization. This, we understand, is one of the principal objects of your visit at the present time. You also desire to see our lands better cultivated and improved ; and our children better educated. We say to you, brothers, that it is our desire the school should be continued, and that our children should be instructed as you purpose. We believe the education and elevation of our people will go forward ; but this great work must go on gradually and slowly, because it is difficult to change habits of long standing, and to alter customs handed down from our ancestors.

“BROTHERS ! On looking over our situation, you have thought it not beneficial to our nation, that our women should be employed in the field. You have advised us to call them from out-door employments, and to direct their attention to household affairs, and we assure you we will endeavor to prevail on them to do so. As we have said before, we will call our women from the field. But their habits have been long fixed, and it may be some time before they will consent ; yet in this, we trust we shall finally succeed.

“BROTHERS ! We believe it is true that the Great Spirit has given to females a feeblor frame, than he has given to the men, and that they should not be employed in such things as they are not able to perform. We believe also that if the

changes proposed by you should be effected as you desire, we should live happier and be more prosperous as a nation.

"BROTHERS ! We are thankful that our friends have not been discouraged in their endeavors to promote our welfare.

"BROTHERS ! I was appointed by the chiefs of the nation, to speak these words to you at this time. I have endeavored to fulfil my duty. Nevertheless, I may not have fully replied to all the subjects to which our attention has been called—but other chiefs may make all necessary additions."

After which a Friend made the following speech :

"BROTHERS ! It is now about fifty years since the Society of Friends first undertook to aid the Seneca nation in their efforts to improve the habits and manners of their people. They embarked in this concern under a full persuasion that it was the will of the Great Spirit, they should assist their red brethren in a work so necessary to their future welfare. And as the Great Spirit is no respecter of persons, so Friends believe that those, whom he sends to do his work, should likewise be no respecters of persons. You have told us that there are parties among you, who think differently on several subjects which you have mentioned. With these differences, you have already been told, we cannot intermeddle. Our concern is for the happiness and welfare of the whole Seneca nation: As individuals, you are all equally the objects of our love and regard. To every Indian, of whatever party, we are friends, and cordially desire their present and future prosperity. We are all children of one great parent. As our Heavenly Father loves all his children alike, and is good to all, so we desire to feel no distinction among our Indian brethren, but to love all alike, and as far as we can, do them all good.

"BROTHERS ! You have expressed a wish that Friends may not be discouraged because of the slowness of your progress in the path of improvement.—We assure you, brothers, we are not discouraged. We are not so unreasonable as to expect that habits of long standing, and customs handed down to you from your remotest ancestors, can be suddenly changed.

Much time and steady perseverance, under the most favorable circumstances, are always necessary to effect such changes. We see no cause for discouragement, either to you or us. On the contrary, we think we perceive abundant reason for mutual encouragement, in the evidences of improvement largely afforded by a view of your settlements. When we passed through your Reservation at Cattaraugus yesterday, we observed many good new houses, excellent barns, strong fences, thriving orchards, and fine fruitful fields. These things made our hearts glad, and we felt ourselves greatly encouraged on your account. Since the first visit the committee paid you, about seven years ago, we see a great change for the better in all the departments of husbandry, as well as in your dress and mode of living; and we desire that you may persevere in the good way, and never be weary of well doing."

In addition to these appeals to the chiefs, one of the women Friends, a member of the committee, prepared an address to the female part of the nation, which was afterwards printed and circulated throughout the families at Cattaraugus and Alleghany, as follows:

"SISTERS! The chiefs of your nation have told us that they are disposed to promote the improvement of your people, by allowing you to withdraw from the labors of the field, in order that you may attend more closely to the duties properly belonging to your sex.

"SISTERS! We earnestly and affectionately desire that you may industriously and faithfully fulfil these duties. To some of them we ask your particular attention. We believe cleanliness, both in our houses and persons, to be necessary to our health. When this is properly attended to, it makes our homes comfortable and greatly promotes the happiness of our families. When the women learn to sew and spin and knit, they become qualified to make useful garments, and also to mend them when necessary—so that all the members of the family may have comfortable and decent clothing. To have a place for every thing in use about your houses, and to keep

every thing in its proper place, saves a great deal of trouble, and makes household duties easy and pleasant. When the men bring home food for the family, it is the duty of the women to have it properly prepared for the table, and see that it is not wasted; by proper attention to this duty, our men are saved from much unnecessary labor, and they are encouraged to provide well for our comfort, and for the comfort of our children. It is also the duty of the women to teach their children how they should behave themselves, and to instruct them how to walk in the right way,—to see that they go regularly to school, and that they are cleanly dressed and properly fitted out to go there. When children are young, they are much under the care of their mothers—they look to them for example, and it requires great patience and prudence to train them, so as to make them good men and women when they grow up. We know that these are very important duties—but we believe that when, in sincerity of heart, you look to the great Spirit, he will enable you to perform them, so that you may look forward in hope, that your children may be a blessing to you in your old age, and become qualified to carry on the great work of improvement, which has been so happily begun in your nation. And thus, when the close of life draws nigh, you may have peace, and confidently hope that death will remove you to a better world, where the spirits of good men and women will be happy forever. That such may be your experience, is our sincere and earnest prayer for you all—farewell.”]

In addition to this parting advice, the following address, which had been prepared, was also printed and distributed among the chiefs and people of the Seneca nation.

“ FRIENDS AND BROTHERS:

“ The Seneca nation being now secure in the possession and occupancy of their lands, and being about to assume their station as a civilized community, with a regular organized government, it is believed that a change should at once take place, in the system heretofore pursued amongst them, relative to the position and employments of their females. Under these cir-

cumstances it may be useful to consider, what are the proper duties of women, in order that we may judge if the practices and habits of the Senecas, are calculated to fit *their women* for the discharge of these duties.

“ In the first place, to women, in every well regulated society, should be committed the management of their families, and the business connected with their household concerns, and they should be qualified to exercise a salutary influence within their appropriate sphere.

“ Secondly, as mothers, they are responsible for the nursing and rearing of their children, and for the proper sustenance of them in early life. They are also responsible for the habits of their children, including cleanliness and general propriety of behaviour. A sensible judicious mother, can greatly control her children in these matters ; she can make them modest or impertinent—ingenuous or deceitful—fearful or intrepid. The germ of all these traits of character exists in childhood, and a mother can repress or strengthen them.

“ Thirdly, a mother is responsible for the principles her children may entertain in early life, and it is for her to say, whether they shall be imbued with sentiments of honesty, industry and morality, or with those of a contrary character,—fraud, idleness, and dishonesty. She is, to a very considerable extent, responsible for the temper and disposition of her children. Constitutionally they may be irritable or revengeful, but she may correct or repress these passions, and in their place instil better feelings.

“ Lastly and above all, she is responsible for the religious education of her children. The beginning of wisdom is a reverence for our Creator, and obedience to his requirings ; and this, it is within the power of every good mother to inculcate and cherish in the breasts of her children ; at the same time it is by far the most important duty she owes them, and their usefulness and character throughout life, may depend upon her correct and faithful discharge of it.

“ If these be the appropriate duties and obligations of a mo-

ther, will it not be vain to expect the Indian women can be qualified for that station, or that they will be in a condition to give a proper education to their children, or train them up in habits and principles that will render them intelligent and good citizens, whilst they themselves are left in ignorance, and while, instead of devoting their time and attention to the discharge of these high moral duties, they are held in a state of servile degradation, and compelled to perform nearly all the menial drudgeries of life !

“ Women are created by Providence equal to men in every thing, except mere physical strength ;—generally they have much more discretion, and certainly are far more virtuous. They were designed to exercise a conservative influence in society, and should be placed in a position which would enable them to fulfil this most important office ; for history confirms the deeply interesting fact, that no people ever yet were elevated to the rank of civilization, while their females were held in a servile condition, and we are also admonished by experience, that no community can be virtuous and happy, which is not chastened by the controlling example of female delicacy and refinement.

“ These views are submitted to the consideration of the Senecas, in the hope that they will receive their serious attention, and lead to the adoption of an improved and proper division of the employments, both of the men and women, of their nation, and especially to the extension of more care towards the suitable education of their females, and the consequent elevation of the Seneca women to their appropriate station and dignity, as the wives and rational companions of intelligent and educated husbands.

“ In our communications with you, we have not felt it to be our duty, to call your attention to any particular forms or observances in relation to your religious obligations. We believe that “ God is a spirit,” and true worship to him can only be performed “ in spirit and in truth.” We also believe, that however diversified the human family may be, in regard to the



circumstances in which they may be placed, all stand equally before their Creator, as objects of his care and paternal regard. In his great mercy, he visits us with remorse and sadness, when we have wilfully done that which we knew to be wrong, and which, if persisted in, might lead to our destruction; and it is he who fills our hearts with peace and consolation, when we do that which we believe to be right. His goodness is not limited to any people or place, nor is that adoration which is due to him, confined within temples built with human hands, or restricted to any particular form; he is every where present, and in every place, the incense of a pious devoted heart, may acceptably be offered to him.

“The plants of the earth are not more directly under the influences of the natural light and warmth by which they are nourished, than is the immortal soul or spirit of man, under the immediate care and sustaining support of the Divine presence, which is always near and round about us; for it is in him we live, and move, and have our existence. Deeply impressed with the certainty of these truths, and fully believing he will never fail to lead in the paths of safety and peace, those who sincerely look to him for instruction, and faithfully follow his counsel, we recommend you, with ourselves, carefully to attend to his manifestations of light and truth upon our minds, which will never deceive nor mislead, but if obeyed, will wisely conduct us through the dangers of this life, and finally will prepare us for a happy admission into the realms of eternal rest.

“You will perceive that in recommending you to withdraw your women from the labors of the field and other occupations not suitable for them, it is no part of our purpose that they should fall into idleness, or be exempted from such useful employments as are adapted to their condition and station in life; on the contrary, we believe it is as much the duty of women as it is of men, to be industriously engaged in the appropriate business connected with their household affairs. These duties they will find clearly explained and defined in

the communication addressed particularly to them, by our women Friends, who attended the late Council at Cattaraugus, and who, while among you, visited some of your houses, where they had an opportunity of seeing the present management and arrangements of your domestic affairs, and became strongly impressed with the absolute necessity of your adopting the change they have so affectionately and urgently recommended. Let me then, as a friend and brother, who feels deeply interested for your welfare, again ask your attention to the excellent advice contained in that address, and earnestly recommend that, as far as in your power, you conform to it.

“As an adopted son of the Seneca nation—identified with you in every thing that concerns your prosperity and happiness, I cannot but be grieved to see, that there is so much dissension and party spirit among you, as seriously to interfere with the judicious management of your national and municipal affairs. This is truly to be deplored and causes me serious and painful apprehensions. I most earnestly recommend you to lay this matter to heart, and pause before it brings irremediable evils upon you. I entreat you, without loss of time, by mutual concessions and forbearance, to endeavor to restore peace and harmony among yourselves. Remember your enemies will not fail to take advantage of these dissensions; you are still weak and surrounded by many dangers, and the united discretion and prudence of all your wise and good men will be needed to meet and overcome the many difficulties that yet lay in your way.

“I have not been informed of the circumstances or causes that have led to these dissensions. If they relate to the management of your business affairs, they should, by mutual concessions, be at once removed. If they arise from mere difference of opinion, regarding your moral or religious obligations, they are still more to be lamented. We are all the children of one parent, and are all equally the objects of his care and protection. It is his purpose that we should love and do good to

each other, as he loves and extends his goodness to all of us. There are none of us who can justly claim a power to prescribe to our neighbor, what shall be his opinion or views on any abstract subject, any more than we can admit he has the power to control our opinion.

“Practical goodness does not necessarily consist in any code of opinions whatever; as proof of this, do we not find bad men among the professors of all opinions, however sound and unexceptionable these opinions may be? On the contrary, goodness consists in the faithful observance of all our religious, social and moral duties. We are plainly told, that it consists in our acting justly towards all men, that is, in doing to them as we would desire they should do unto us; secondly, in being merciful and kind to each other, and to all parts of the sensitive creation; and thirdly, in our walking humbly, in submission and faithful obedience to the Divine will, *as manifested in our own minds to us*. Do we not know that we can discharge all these duties, without unkindly interfering with the opinions, honestly perhaps entertained by others? Let me then, my friends, as your brother, and as a member of the Seneca nation, earnestly entreat you to cease from all strife and contention, be the same on whatever subject it may—Cherish feelings of love and kindness towards each other—leave every one free to enjoy an unrestricted liberty of conscience, while he does not disturb the public peace, nor interfere with the free exercise of the same right by others; and remember I tell you, whoever may give you any advice, calculated to interrupt the relations of harmony and peace, or endeavor to introduce opinions or views among you, which tend to produce discord, is not your friend.

“Commending you to the protection of the Great Spirit, and invoking for you his paternal care and regard, I am your friend and brother.”

The change, as will here have been seen, that has taken place in the government of the Seneca nation, sanctioned by the law of the New York Legislature, and recognised by the

Government of the United States, and the States of Massachusetts and New York, is, we think calculated to produce the happiest effects. The evils to which the Senecas had been subjected, for want of some form of government, better suited to their advanced state of civilization, had been severely felt. For want of *written* records of the acts and decisions of the national councils, nothing could be sufficiently attested; not even in cases of the deepest importance to the nation. In our attempts to set aside the treaty, by which they were defrauded, to the loss of their four reservations, we found it impossible to prove beyond a cavil, who were really and truly their chiefs, and consequently it was difficult to defend them, against the false allegations of those who were interested in driving them away. That law, so benevolently granted by the State, is not only valuable as an efficient shield of defence from the depredations and injuries of unprincipled white men, but by prescribing and guaranteeing to the Indians a simple, but *efficient* form of government, adapted to their present capacity, it must become a powerful agent in promoting their civilization. By it they will necessarily be introduced into the exercise of their intellectual powers, in the Legislative, Executive, and Judiciary departments of government. Thus they can hardly fail to acquire mental discipline, habits of thinking, and of application, without which no people can attain a state of perfect civilization. It is very evident to those who have, within the last seven years, been called upon to aid the Indians in their difficulties, that far the greater part of their troubles are attributable to mental weakness, the consequence of indolence or inaction. *Civilization is a forced state.* It is seen in its fairest form, only in those situations, where the wants of the people are numerous and pressing, and where at the same time those wants may all be amply supplied by forethought, application, and industry.

The possibility of Indian civilization in their *unmixed* state, is a question not yet settled even among their friends; and, is sincerely doubted by a large and intelligent portion of the com-

munity. The *policy* of amalgamating *the white and red races*, is beginning to be reprobated, under the persuasion that the remote posterity, descended from such a mixture, is *essentially* deteriorated. It is none of our business however, to combat these opinions, nor indeed have we any concern with them. It is, to the real philanthropist, a sufficient motive to action, that he finds his fellow man in distress. The good Samaritan is his prototype,—every country is his country, and every man his brother.

But whatever may be our theories on this subject of Indian civilization, we think it must be evident that the present position of the Seneca Indians at Cattaraugus and Alleghany, is extremely favorable for the attainment of that object. They can no longer live by the chase. It is not now with them as it was with the Indians on the Delaware, when William Penn said, “their pleasures feed them,—hunting, fishing, and fowling.” Surrounded by the white settlements, and placed in the vicinity of cities and towns, they are obliged to apply to agriculture, and other modes of labor, for the means of subsistence. They now are building good houses, planting orchards, raising stock. They have horses and carriages.—Artificial wants, the very pillars of civilization, are increasing upon them. These require exertion,—call into action their mental faculties, force them to provide for coming exigencies—gradually tame down the wild nature in them, and prepare them for that subdued, but improved state, in which alone is to be found the highest point of intellectual cultivation, as well as the highest enjoyment intended for man in this probationary world.

If this experiment fails, we may with melancholy certainly look forward to the period, and that period not remote, when this interesting branch of the human family, shall be swept into oblivion, when the fine sounding names of our lofty mountains, our noble rivers, our splendid cataracts, our great inland seas, and our silver lakes, will be the sole memorials of a race, that, only two or three centuries ago, covered the face of this vast continent.

On the other hand if this experiment should succeed, it will open "a door of hope" for the preservation, or if we may use the terms, *physical* salvation of that apparently doomed race. It may encourage the philanthropist to stretch forth his hand for the protection of the yet remaining tribes beyond the Mississippi; and the child may be already born, who will live to behold that vast wilderness, thickly dotted over with Indian communities,—with towns, and villages, and farms, and manufacturing hamlets. They may live to see the hoe and the spade, taking the place of the Bow and the Tomahawk,—the lion and the lamb feeding together,—the sword beaten into a plough-share, and the spear into a pruning hook.

But it is time now to return from this digression. The apparent unanimity of the Indians in relation to the form of government so lately adopted by the nation, was of short duration. Human nature is the same every where. The minds of men differ from each other less than their outward circumstances. The Indian loves power as well as the white man, though in general he uses it with more justice and moderation. Their new Constitution created new Offices, and conferred new powers. Offices create distinctions. The office of CHIEF under the old regime, was little more than the distinction of *seniority*. It was much more a mark of *respect*, than a post of *power*. No authority of a coercive nature was attached to it. If it had any power at all, it was the power of *influence*. If Red Jacket himself had more authority than any other man in the nation, it was that which was voluntarily conceded to him on account of his talents,—his wisdom and devotion to the interests of his people. But now, under the new Constitution, some chiefs must necessarily be distinguished from other chiefs. All could not be presidents of councils;—all could not be treasurers, and magistrates,—and marshalls, and very soon after their first election under the new government, jealousies, and divisions, and animosities appeared among them, which soon grew to so formidable a height, as to threaten the existence of the constitution which they had almost unanimously desired, and which

had been granted to them, by the New York Legislature, at their own earnest request. At Cattaraugus the opposition had assumed the appearance of an organized confederacy, with several distinguished chiefs at its head. The harmony of the nation was interrupted; instead of order there was confusion. At length the difficulties and embarrassment which ensued, induced them to apply to Friends for their assistance.

Another subject at the present time greatly disturbed the nation. A certain Dr. Hogeboom, desirous of handling some of the public money, had been actively engaged in trying to get up a company of Indians, who might be willing to emigrate to the lands west of the Mississippi. At length he succeeded so far to as procure the names of a number of idle vagrants, of different tribes, together with some of the old emigration party, and with some others, made such representations to the Indian Department, at Washington, as induced the Government to appropriate the sum of ten thousand dollars for their removal. This fact coming to the knowledge of the chiefs gave them great uneasiness. On application to Stephen Osborne, the United States Agent residing near the Seneca nation, he informed them that the subject of emigration must be forever abandoned, as the Executive Government of the United States, were perfectly satisfied that no emigration party to any great extent, could be organized.

These contradictory representations greatly perplexed the Indians, and in order to have the question settled, they sent the following Memorial to Washington, addressed to the President of the United States.

*To the President of the United States.*

The undersigned chiefs and head men of the Seneca nation of Indians residing in the State of New York, would respectfully represent to your Excellency, that they have been informed, that a few days since delegates of the tribe above mentioned have been deputed to Pekin at the residence of one

Doctor Hogeboom, who we understood had been appointed by the executive of the government of the United States during the year 1845, as a removing agent to accompany such of our people, as were anxious to remove to the country west of the Mississippi river; and that the said Dr. Hogeboom then and there stated to the delegates, that the government of the United States intend to remove such as were willing to go, in the spring of the present year; and that the said Dr. Hogeboom further stated, that he had authority, power and instructions, to remove from two or three individuals to five hundred souls. That the said Dr. Hogeboom further stated to the said delegation, that he had the funds of the government in his hands, and that he was merely waiting for the opening of the navigation of the Lakes:—that being accomplished, a boat would be chartered immediately, to convey the emigrants.

The undersigned further represent, that the said delegates believe the statement of Dr. Hogeboom, while on the other hand, they are told by the United States Indian agent, Stephen Osborn of the City of Buffalo, that the subject of emigration to the country west of the Mississippi must now forever be abandoned, and that the executive government of the United States, were perfectly satisfied that no emigration party can now be organised.

The undersigned feeling deep and anxious solicitude for the welfare of our people, that on account of these contradictory statements, much loss and injury will be sustained by such of our people who are willing to be duped. As the seed time is drawing nigh, and if these people should be induced to neglect this important duty, by the statements of Dr. Hogeboom, we predict that they will reap much suffering, and many of them will be reduced to poverty and starvation. We desire to avert such a calamity. We therefore respectfully request your excellency, to send special messages, or call a special convention of the tribe interested in this matter, or any other way your Excellency may think proper, in order that our



people may become undeceived and settled. And your petitioners will ever pray, &c.

Signed,

JOHN KENNEDY, Senr.

and eighteen other chiefs.

Witness, PETER WILSON.

In consequence of this appeal, the Secretary of War directed the Indian Agent to call a council of the whole nation, to meet at Cattaraugus on the 2d of the Sixth month, 1846. A. H. Tracy and G. W. Clinton, citizens of Buffalo, possessing the confidence, both of the public and the Indians, were appointed to represent the Government at the proposed council, with instructions to inquire fully into the subject, and to report the facts to the Department. The Joint Committees of the four Yearly Meetings were respectfully invited to be present on that occasion.

On the 3d of the sixth month, the Council was duly organized.—The Indians were largely in attendance, and chiefs from all the Reservations were there. On the part of the United States, there were present G. W. Clinton, Commissioner, and Stephen Osborne, the Agent of the Government, with Judge, Tho. C. Love, one of the appraisers of their improvements, under the treaty of 1842, and the delegation from the Society of Friends.

When the Council was duly organized, the United States Agent opened and explained the objects of the meeting. He stated that the President directed the calling of this Council, in order that an opportunity may be given them, fairly to express their views in relation to emigration into the country west of the Mississippi river. He then introduced the Commissioner of the United States, who had come there to learn from the chiefs themselves, their wishes in regard to that matter, which has latterly been the cause of so much uneasiness to them. After opening that concern, he mentioned there was

present a deputation of men and women Friends, who, at a suitable time, would explain the object of their visit.

Governor Blacksnake, the head sachem of the nation, then in the ninety-sixth year of his age, now rose and addressed the Council as follows :

"BROTHERS ! The Council being now opened by the agent, I wish to say a few words before we proceed further in the business. We are informed that there is present a commissioner of the United States, who has been appointed to ascertain our wishes in regard to emigrating to the west. I perceive also we have with us a committee of our friends, the Quakers, who have come a great distance to meet and confer with us. It is by the merciful providence of the Great Spirit that they have been preserved through their long journey, and I now, in behalf of the Seneca nation, express our thankfulness for their safe arrival. We hope that while they are with us they will be preserved, and that when they return, they may be safely conducted to their homes, by the same good hand that brought them here.

"MY BROTHER CHIEFS ! I now wish to say a few words to you. I hope that whatever the officers of the Government, and our friends, now here, may say to us, will be listened to with attention, and deliberately considered ;—that in all your deliberations you keep calm, and be prepared to decide with judgment. I hope your decisions may be wise, and that all the dissensions among you may be reconciled and settled, and that, hereafter, all party contentions may be buried. If there be any who wish to emigrate, let them be permitted to do so ; but my advice to you all is, that you remain, and enjoy the comforts and advantages that are secured to you here. By emigrating you will be exposed to many hardships and dangers. Nevertheless, I repeat that I desire to leave every one to decide for himself."

George W. Clinton, the Commissioner of the United States, now addressed them in a lucid and impressive manner. He noticed the reception of their Memorial by the Government—

told them that on their own application, the present Council had been called, that they might make known to the President their real sentiments in relation to a removal to the west. He stated that the Government had no desire to influence their decision on this point, but left them entirely at liberty to exercise their own free will in relation to it. If they wished to remove, they would be assisted to do so, and their annuities hereafter would be paid as punctually to them in the west, as they had always been at their present residence. On the other hand, if they wished to remain at their present homes, they were at full liberty to do so, and should there be protected in all their rights.

The Commissioner further observed, that it was reported a considerable number of Indians had lately removed from the State of New York westward, and he wished to be informed by the chiefs then present, what number had gone, and from what tribes and Reservations they had emigrated.

The Chiefs, after some consultation among themselves, replied that they were not now prepared to answer these questions. They said it was true some Indians had lately gone west, but they were not prepared to state with certainty either their number, or the places from whence they had gone. They would however inquire, and when prepared would give the desired information.

The Council then adjourned until the following day.

On the 4th of the month the Council being again convened, Jacob Blacksnake, a delegate from the Allegany Reservation, rose and said, he wished to express his thanks to the Great Spirit, that he had permitted them at this time to meet their brothers and sisters now present, who had come so great a distance to see them. He then stated, on behalf of the Allegany Reservation, that their chiefs unanimously wish to remain and retain their present homes ;—they believed it to be their interest to do so, and have no desire to remove. One lad, however, had put his name to an emigration paper, but declared he never intended to emigrate.

Nathaniel T. Strong officially reported that four men, but not one woman, had emigrated from the Cattaraugus Reservation. Of these, one was a chief, the others were warriors, and that they knew of no others who desired to remove.

Job Pierce, on behalf of the Buffalo Reservation, reported fifty-eight emigrants. Of these, six were chiefs.

John Blacksmith reported, on behalf of the Tonawanda Reservation, that none of their people had emigrated; that they unanimously determined to remain where they are, and that he now understood the United States Commissioner to say, that they will be permitted to do so.

The Commissioner then said, that it was important there should be no misunderstanding of what he did say. "My business here is simply to ascertain how many Senecas wish to remove west of the Mississippi, and has no reference to the removal of the Tonawandas under the treaties. The question now pending between them and the Ogden Company, must be settled elsewhere."

Peter Wilson, for the Cayugas, reported, that forty-one of that tribe had left New York, for the West; of whom, it was understood, *three* had returned. "That tribe has been broken up, has become disorganised and are scattered into different parts of the State. Their chiefs have concluded to leave them to decide the question of emigration for themselves."

George Button, on behalf of the Onondagas, stated that eight individuals of that tribe had gone west, two of whom were chiefs. None of the remainder wished to emigrate.

Nathaniel T. Strong said he had heard that three other Indians, not before reported, had gone from Cattaraugus; they were strangers, lately arrived there, whose former residence was not known.

Israel Jamieson then addressed the Council as follows:

"BROTHERS! The question relative to emigration being disposed of, I will explain the manner in which this removal of the Indians to the west has been effected. I believe it was irregularly conducted. Indeed I may say, of this I am con-

vinced. The agent who came to execute it, was duly notified, that the government had called the present Council for the consideration and investigation of this matter. As soon as it was known that this had been determined on, *great efforts were made to hurry off the emigrants, and induce them to leave before the Council would meet.* I am satisfied that many were decoyed away by various unfair contrivances, and gross misrepresentations on the part of the emigrating agent and his emisaries, I myself remonstrated against these proceedings, and asked if it could be proper to inveigle and deceive the Indians in this manner? In reply, I was desired to be silent, to which I rejoined, that many of them who they had decoyed on board the boat were then drunk, and in a state of unconscious insensibility!—these remonstrances availed nothing, and the whole were hurried away. If any showed an unwillingness to go, they were told they might return if they choose, should they not like the place when they got there.’

The subject of emigration was closed by a few remarks from the United States Commissioner. He stated that from what had appeared here, it was manifest there was really at this time, no emigration party, and that he should so report to the government.

After the disposal of the emigration question, the propriety of sustaining and carrying into effect the Law of the New York Legislature, providing a municipal government for the Seneca Indians, residing on the Cattaraugus and Alleghany reservations, was considered and warmly discussed. Those who were in favor of its adoption, had, at the time appointed by the Law met, formally accepted it, and elected all the officers required by its provisions. Their action was reprobated by the opposing party, which was formidable from its numbers, and was headed by some influential chiefs. After a warm debate neither party seemed disposed to yield to the other. At length an appeal was made to the counsellor who had been appointed by the Government of the State of New York, to see that the humane provisions of this Act were fully extended to the Senecas. He

was requested to give his opinion, whether the law had been *legally* adopted by the Seneca nation, and whether the officers that had been elected, were legally authorised to execute the powers conferred by the Act.

In reply, he explicitly informed the chiefs that the law had been legally adopted by the nation, and that the officers who now held their stations under it, were duly and constitutionally elected, and had a right to execute it; and further, that any resistance to them in the lawful execution of it, would be criminal.

Judge Love, whose friendship for the Indians, had been manifested by many kind offices of great importance to them, now addressed the council in an impressive manner. He explained the objects of the Legislature in passing the law,—the advantages that would result from it, if wisely and prudently administered,—the effectual protection it gave them in their persons and property; the good it had already done them, by excluding spirituous liquors from their villages; and concluded, by warning them, in a very emphatic manner, of the fatal consequences that must follow, should they, under the influence of individuals, interested in destroying them, be induced to reject it.

The effect of these explanations, it was hoped would be seen in a quiet acquiescence in the law; and although this was not the immediate consequence, yet since that time through the salutary influence of reflection, and the adoption of wiser counsels, they have been drawn into more unanimity of opinion, and are now beginning to reap the benefits of unity of action.

The primary objects of calling the council, having been attended to, the United States Agent stated to the chiefs, that the delegation of Friends, who had been with them during the present session, were prepared to open their business, and explain the object of their visit.

One of the chiefs then rose, and said the council was ready to listen to any communication their friends might have to make to them, upon which a member of the committee addressed the council, as follows :

**"MY BROTHERS AND SISTERS!** I feel thankful to the Great Spirit, that he has this day permitted me to meet you in council, and afforded us an opportunity of opening our minds freely to each other, on subjects interesting to us all, and which very especially concern your present and future welfare. In the remarks I am about to make, I am aware of the relation in which you have placed me, as an adopted son of the Seneca nation; and I can assure you, that I feel myself identified with you and deeply solicitous for the prosperity and happiness of you all.

**"BROTHERS AND SISTERS!** The Friends you now see here with me, represent the joint committee of the four Yearly Meetings, who, for some years past, have extended to you, advice and assistance, in recovering your lands, and securing to you and your children the peaceable possession of them. By your co-operation and assistance, this important object has been attained, and our gratitude is due to the Great Spirit, that through his overruling goodness, you are in the quiet possession and enjoyment of comfortable homes, that cannot be taken from you, without your own consent, or by some indiscreet act on your part. You are the admitted owners of a rich and fruitful soil, sufficiently productive, with due diligence, to afford you ample supplies of all the necessities of life, requisite for the subsistence of your families.

**BROTHERS!** Your friends have observed with satisfaction, your improvement in agriculture, as well as in your domestic arrangements, and feel great confidence that by perseverance in the course of sobriety and industry you have adopted, and living in harmony and peace among yourselves, you will become a prosperous and happy people. But my brothers, we feel it to be our solemn duty to express to you our conviction, that unless you can be prevailed upon to do this, and will cease from the bickerings which have lately agitated and distracted your public councils, all these fair prospects will disappear. You will lose the confidence and respect of your friends and neighbors—disorder and confusion will enter into all your

concerns, and you will soon fall an easy prey to your enemies. A few revolving years will find you scattered abroad in distant regions, exposed to many hardships and dangers, under which, in a little time, you will be destroyed, and the council fire of the once powerful Seneca nation, will be extinguished, never again to be kindled.

"BROTHERS! Let us seriously inquire if the matters about which you have been contending, and which have occasioned so much agitation and distraction among you, are of sufficient importance, thus to put to hazard your dearest interests, and even to peril your very existence.

"BROTHERS! The deep interest we feel in whatever concerns the prosperity of the Seneca nation, obliges us to speak plainly to you, and earnestly to warn you of the consequences which must come upon you, unless you can be prevailed on by mutual concessions and forbearance, to put an end to the party divisions that have been engendered among you. These divisions give great delight to your enemies—they plainly see that you are falling into the snares they have laid for your destruction—for they are fully aware, that as a united people, they never could, by fraud or force, accomplish their earnestly cherished purpose of possessing themselves of your lands.

"BROTHERS! They know well the destructive effects, division and contention have produced, in many other Indian tribes in our country, and they are not ignorant of the means by which these dissensions have been produced. Under the baneful influences of these distractions, they have seen whole tribes of your race melt away like snow under a summer sun. The habitations of these tribes they have seen become the homes of another people—and the graves of their fathers in possession of their enemies; and all this melancholy desolation was the consequence of divided councils. Even in your own nation, most of the evils that have fallen upon you, may be attributed to this same cause. Artful designing men, whose only object was to drive you from the lands descended to you from your forefathers, by the corrupting influences which they employed,



first introduced dissension into your councils, and then took advantage of your folly, to rob and despoil you.

“**BROTHERS!** There is nothing new in all this ; this history of former times, relating to the white race, acquaint us, that by internal animosities, some of the most powerful nations, that ever existed in this world were overthrown and destroyed—their enemies first excited, and then took advantage of their dissensions. By division they became powerless, and were easily destroyed. Can *you*, already reduced to a mere handful of men, surrounded, as you are, by untiring enemies, ready to take advantage of every circumstance that may favor their designs to drive you from the remnant of land yet left to you, expect to escape the like calamity, should you unhappily continue to maintain the spirit of dissension which has latterly appeared amongst you? If you do, permit me, an aged brother and sincere friend, to warn you of your danger, and plainly to tell you that you will find, when perhaps it may be too late to avert the consequences, that you will have fallen into a fatal error.

“**BROTHERS!** Let us then in conclusion earnestly entreat you to pause and reflect on your present critical situation, and let us advise you to lose no time, by mutual forbearance and concessions, to bury and forget all past animosities, and hasten to restore peace, concord and union among yourselves. Accomplish this, and you will place yourselves safe from the arts and intrigues of your enemies.

“**BROTHERS!** Believing as we most certainly do, that all the efforts of your friends to benefit you will fail, unless you can be prevailed on to live together in harmony as a united people, we have felt it to be our duty, to speak plainly to you. It may, and probably will be, the last time my warning voice will ever be heard among you ; and although I may not be permitted to see the fulfilment of the predictions I have made, yet I assuredly believe, if you disregard my advice, and will persist in nourishing discord and divisions, there are those present, who will live to witness and experience the sufferings I have described.

Upon the conclusion of these remarks, another member of the committee addressed the council as follows :

"BROTHERS! The connection which now exists between the Seneca nation, and the present committees of the four Yearly Meetings of Friends, was commenced about seven years ago, at a time when you were involved in much distress, arising out of the treaty of 1838. At your request we came forward to assist you, and if possible to prevent the alienation of all your lands. We thought we saw that such alienation, by driving you into the wilderness beyond the Mississippi, must soon be followed by the total extinction of your once powerful nation. Through the assistance of the Great Spirit this dreadful catastrophe was prevented, by the restoration of two of your reservations, sufficiently fertile and extensive to accommodate your families, and amply to supply them with all the necessaries and comforts of life.

"The evils to which you were subjected for want of some form of government better suited to your more advanced state of civilization, soon attracted our attention. In our attempts to set aside the treaty of 1838, we were made deeply sensible of the insecurity of a government without *written* records—where all its official acts might be called in question, and where nothing could be *legally* proved. The treaty by which all your reservations were fraudulently wrested from you, was signed by forty-five persons, who were declared by the Ogden Company to be *legally* appointed chiefs,—This you denied, and we knew it was not true ; but for want of that kind of evidence which a proper constitution of government will always provide, to substantiate its *official* acts, the question was so difficult to settle, according to *legal* requisitions, that your friends found it almost impossible to defend you against the most palpable frauds.

"Your friends every where saw the dangers and difficulties of your situation under your old form of government, and were anxious for your relief. By their exertions and the truly benevolent disposition of the New York Legislature, a law was passed, which not only provided you with a government amply

sufficient to remedy the defects of that under which you have heretofore acted, but to secure you against depredations on your lands, and the ruin which always follows the introduction and free use of ardent spirits.

“BROTHERS! The passage of this law made our hearts glad, for we saw that a kind Providence had thereby thrown over you a shield of defence, under which, if you were wise enough to seek for shelter, you would find safety and peace.

“BROTHERS! We cannot express to you our surprise, and our pain, when we heard that this law, so eminently calculated to protect you from evil, and to promote your best interests, had become a subject of division and party strife among you: that this law, the fruit of the purest benevolence *toward you*; every clause of which conveys to you some blessing, and in which is not to be found a single provision that is not in your favor, should be made a subject of clamour, and dissension; was indeed unexpected by us, and covered our minds with gloom and discouragement.

“BROTHERS! We would charitably hope that all this trouble among you has arisen from misapprehension,—that those who have opposed this law have mistaken its import; and we indulge the hope, that *time and experience* will convince them of their error. It is hardly possible, that with upright honest intentions, they can long remain blind to their true interests; and we confidently believe, that as they cherish a disposition to walk in the right path, the Great Spirit will remove the dark cloud that now hangs before their eyes, and cause the sun again to shine brightly upon them.

“BROTHERS! We speak our own mind, and the mind of your best friends every where (so far as it has come to our knowledge) when we tell you, that this law, by which you are provided with a regular government, under the protection of the Great State in which you live, is eminently calculated to protect you from fraud, and preserve you from destruction. We believe that those who would persuade you to reject it, are your worst enemies—perhaps the very men who expect to

profit by your destruction. Will you, with your eyes open, walk into the snares of your deadliest foes?

"BROTHERS! As has already been stated to you, the great object of our concern, when we were first called to your assistance, has been attained—a home has been secured to you on the lands of your nation. We do not see that we can be any longer, of much service to you, and we are very desirous not to be burdensome to our friends. The school for the instruction of your young women in the domestic arts, may perhaps, be usefully continued—that question we wish to submit to your decision, and also the question whether you wish that the Farm should remain longer under the care of Friends—On these points we expect you will give us an answer before we leave the neighborhood. We wish however to be understood, that we do not feel any diminution of friendship for our Red Brethren, but are disposed to render them any counsel or assistance when they may desire it.

One of the women Friends on the committee then addressed the council as follows:

"MY BROTHERS AND SISTERS!

We feel thankful to the Great Spirit for his kind providence in bringing us safely to this place. I speak on behalf of the committee of women Friends. It is the first time *we* ever attended an Indian Council, and we have listened with deep interest, and attention to all, that has been said. It appears by the statements that we have heard made, the original objects for which this committee were associated, have all by the aid of the Great Spirit been fully accomplished, and that you are now secured in the possession of comfortable homes, which cannot be taken from you.

"SISTERS! Finding this to be the case, the committee might and probably would have felt themselves released from the necessity of continuing their labors among you. But observing the unfavourable situation in which the female portion of your people were placed. Your Sisters, who were associated with the Men Friends in this concern, felt it to be their

duty to request that some attention should be given to you. Much had been done for the Indian men, and but little or nothing for you, they therefore after careful reflection, concluded at a Council held at this place last year, to bring this matter to the consideration of the Chiefs, and lay fully before them the views of your friends in relation to it.

"SISTERS! The result, as you are aware was, that the propriety and advantages of the measures proposed, were so clearly seen by that Council, that by a decision, which we believe was generally and perhaps unanimously approved, it was decided to change the system heretofore pursued in regard to the division of labor between the sexes, and to withdraw the women from the toilsome employments in cultivating the land, and other occupations unsuited to the delicacy of our sex, and in the place of this, to encourage you to employ yourselves in the business and management of your household concerns—this it was seen and admitted by all, would greatly increase your comfort, and effectively promote the objects desired in relation to the nation—that is, their civilization and elevation to a proper rank and station in the community.

"These views having been approved by you—your Sisters who we represent, believed a new and further duty had now devolved upon the committee. Your men had received the instruction necessary for them—The women had been left neglected, and of course were ignorant of the proper manner of discharging the new duties to which they were about to be called. And it was concluded to establish a Manual Labor School for their instruction, where, in succession, your young women would be taught all the requisite branches of domestic and household business, such as sewing, knitting, spinning, washing, ironing, cooking, and indeed all other appropriate business. This School has now been in operation for near one year, and it is proposed if you desire it, to continue and extend its operations.

"SISTERS! We are told that to it, will probably hereafter be confined, the principal care and labor of the committee. As

your Sisters we feel a deep interest in the success of this effort, and earnestly recommend you, to extend to it your patronage and encouragement. Send your daughters to it, and do not permit the advantages it proposes, to remain unimproved, but secure to yourselves and to your children the great benefits it offers. Believe me, if you fail to avail yourselves of so favourable an opportunity to obtain the valuable information offered, incalculable will be the loss your children will sustain. We therefore *entreat you*, our Sisters, with all the earnestness of an affectionate solicitude, to comply with our wishes—fully believing that if you do, you will live to realize the desire of your hearts, and that before your earthly pilgrimage is accomplished, you will have the blessed assurance, you are leaving behind you worthy successors, who will carry forward the great work of improvement so happily began by you, after you will have been gathered to your Fathers."

These addresses were listened to with marked attention, by the Chiefs and others present, among whom were a considerable number of women. After some conference among the Chiefs, it was concluded to refer the subjects introduced by Friends to a committee, who were desired to confer with our committee and empowered to enter into such arrangements as might be agreeable to both parties. A large committee of Chiefs were accordingly appointed, and it being intimated that the attendance of a committee of their women would be agreeable to Friends, these Chiefs, with a number of Indian women who had been appointed, met us in conference at the time proposed. The general Council having in the mean time been closed.

The conference was attended by about twenty-five of the Indians, nearly one third of whom were females.

After a short pause a member of the committee of Friends rose and explained to the Indians, the present views and prospects of Friends in relation to them. They were again reminded, that the original objects and purposes of the four Yearly Meetings, when they associated as a joint committee,

had been fully accomplished, and their lands made secure, that in addition to this, a municipal government, adapted to their wants, and affording ample protection to their persons and property, had been provided for them, and a system established by the Legislature of New York, for the school education of their children—and that they were now sufficiently instructed in the management of their farms, and had the requisite means and conveniences for carrying them on. Under these circumstances it was again remarked, that Friends might be justified in withdrawing and leaving them to walk alone, and probably would have done so, but a concern having, as they were aware, arisen on the part of our women Friends, on account of the unfavorable situation in which their females still remained. The attention of our Indian Brothers had, at the Council last year, been called to this subject, when they were advised to withdraw their women from the toilsome labors of the field, and encourage them to occupy themselves in the more appropriate business of household affairs. That as this advice had been approved by them, we proposed to open a female Manual Labor School, for the instruction of their young women, in the employments which we had recommended they should hereafter be engaged; and it was to this single object we now intended, hereafter, to devote our care and attention.

With this explanation, we now submitted the matter to their consideration, and desired them to be free and plain in giving us their decision. The house as now constructed it was observed, had been found too small for the accommodation of all the scholars that were offered, and it was suggested that it be enlarged—That if agreeable to them, we were willing to be at the expense of putting up the requisite additional room, provided they would agree to furnish the materials, and were content to let us occupy the farm, on the same terms as heretofore—as long as it might be agreeable to both parties.

Young Chief in reply said, "Our brothers have made us plainly to understand their propositions and I am instructed to say we fully approve them. We therefore hope they will now

go on and prosecute their efforts to carry their views into effect. We will place our children wholly under your exclusive care and control. We are grateful for the kindness you have shown to us, and we return our thanks to the Society of Friends for sending you so far to visit us."

"I have always had the greatest confidence in the Society of Friends, they have ever been faithful and true to the Indians, and were never known to give them any advice but what was calculated to promote their happiness—of this we have now again at the present time a new evidence.

"BROTHERS! You have often recommended us to change the employments of our women, and this, as well as all your other advice to us, I fully believe is for our good. *It is my opinion* that God has made women better than men, and *I know* they are wiser. I hope they will hereafter be encouraged to employ themselves in the business you have recommended. I have thought it right to say this. We are glad to see the women Friends who have come on with you to assist you by their advice. We believe your motives are good, and we think it a mercy to us, that we have had an opportunity of being so many days with you, in our late Council.

BROTHERS! We know that we are poor weak mortals; and we feel that we need your assistance. We cannot number our days, and may never again meet you. We are told you will leave us to-morrow, on your return to your homes. We will pray the Great Spirit that he may guide and protect you on your way to your families. It is true, and it is a consolation to us, that we may visit one another in spirit, when far distant from each other.

"BROTHERS! I will relate all that has been said this evening to a general Council of our people and will try to prevail on them to follow your advice.

"Gua-na-ea, one of the female Indians who had been delegated to attend this conference, rose and said, "I am one of the females appointed to come here and listen to what our friends might have to say. This is the first time any opportu-



nity has been offered for one of my sex to be heard in any of the deliberations of our Nation. We feel thankful for this favor, and congratulate ourselves that we have been permitted to meet our female friends here in Council, and trust, a new and better prospect is about opening before us.

"I am instructed by the women now present to say, that we fully approve the propositions that have been made in reference to the education of our children, and that it is our earnest desire they may be instructed in the manner recommended. We will do all in our power to co-operate in and promote so good a work."

Job Pierce observed, that "he would be pleased to hear the female Friends present speak to their women, who were then attending, he hoped they would give them such advice as they might think useful." He remarked that "new light had broken in upon them in respect to the proper station, duties, and employments of women, which he hoped and believed would lead to the most important and beneficial consequences."

One of the women Friends of the committee then rose and said, "The remarks of our sister who has just spoken, have been grateful to me—they afford an evidence of the solicitude felt by our Indian sisters, for the right education of their children, and I hope they will continue to give their particular attention to this matter. To mothers, properly belongs the care and management of the education of their children, and especially of their daughters—they are therefore responsible for the discharge of that important trust. In the discharge of this, as well as all our other duties, we should look to the Great Spirit to strengthen our endeavors, and give us wisdom rightly to direct our steps. It is in early infancy that lasting impressions are made upon children, and we cannot begin too early to instil into their young and tender minds, the principles of virtue—to impress upon them the necessity of being honest, industrious, and correctly moral in all their conduct—to be neat and cleanly in their persons, and respectful in their behavior. Thus

as they advance in age, they will become a blessing to their parents, and useful in the community.

"SISTERS! I hope you will send your children to the school your friends have established here, and that they may receive the advantages it offers; but you must not think your duty is performed, even after they may have been educated. On returning to their homes, they should practice *there*, the business they may have been taught, and thus become good practical house keepers.

"SISTERS! We have visited a number of you in your own houses, and have been much gratified to find some of you far more comfortably situated than we had expected; but there is still great room for improvement. We hope you will go forward and not stop. Had circumstances permitted we would gladly have visited many more of you.

"SISTERS! The time is near when we must leave you, and it is with feelings of affectionate regard, and sincere desires for your welfare that we shall part from you, and if it be the will of the Great Spirit, that we should never again see each other, we shall carry with us a grateful recollection of the satisfaction we have enjoyed, while we were mingled with you in our late deliberations together, as well as in social intercourse, assuring you of our fervent desires for your present and everlasting welfare, we bid you an affectionate farewell."

John Cook said he wished to make a few brief remarks.

"The Great Spirit has, in his goodness, permitted us to meet at this time, and happily to conclude the interesting business in which we have been engaged. I feel from my inmost soul grateful for the advice our friends have given us, as well as for the deep concern they have showed for our welfare. Since I was a child the Quakers have been our constant unwavering friends, and it rejoices my heart to see their descendants still willing to assist us.

"BROTHERS! There are remaining but few of the old men, who your fathers succored, they are nearly all fallen and are

gone, but we are happy to find that your kindness is continued to their children."

Young Chief stated it was now drawing late, but he hoped he would be indulged in making a few remarks. "He said, when I was a small boy some Friends made a visit to the Indians, and offered to assist them, and they left some farming implements, and a few cattle; some time afterwards these Friends made them another visit, and offered premiums for the culture of wheat. The Indians were told that they wanted their land, and upon this they became alarmed. The Friends assured them they wanted none of their land or peltry, and they gave them a writing on parchment, pledging themselves that they never would ask either land or other remuneration for any thing they might do for them." (This parchment he now produced, signed by a number of Friends at Philadelphia, scarcely of one of whom, it was stated, is now living.) He concluded by saying, "the Friends had faithfully redeemed this pledge, and had never, to this day, asked or accepted the smallest remuneration for any thing they had done for the Indians."

The committee then proceeded to confer with the Indians upon the requisite arrangements for enlarging the accommodations of the school and for its future management. This being agreed upon and settled, a joint committee of Indian men and women were appointed, to visit and superintend it, as occasion might render necessary.

It will now be proper to notice more particularly, the circumstances which occasioned the call of this council, and which have been incidentally alluded to, in the preceding narrative.

By reference to official documents in the Indian Department it appears, that a petition from a small party of discontented emigrationists, at the Tuscarora village, dated March 4th, 1845, was sent to the President of the United States, expressing a desire to remove to the West. It also further appears, that a letter had been received by the Department, from a certain D. G. Garnsey, dated May 8th, 1845, stating that a portion of the

Senecas, and others of the six nations in western New York, were now ready to remove.

The Government justly fearing there might be persons so anxious to possess themselves of the moneys, appropriated by law for the removal and support of emigrating Indians, as to resort to fraudulent means for that purpose, by letters warned the Indian Agent at Buffalo, to be on his guard against such impositions. Afterwards, several petitioners from small fragments of the Senecas and other tribes, were prevailed on to sign memorials to the President, asking to be removed, and begging appropriations for that purpose. To those well acquainted with these movements, there is sufficient evidence, that persons interested in their removal, were at the bottom of all this business.

Of the six nations, once the owners and lords of the soil, within the boundaries of the great Commonwealth of New York, there are many small remnants scattered over the western parts of that State, in a condition of wretched vagrancy; reduced by idleness and intemperance to poverty, and ready, for a trifling compensation, to have their names attached to any memorial, without regard to its objects. For a small sum of money, they will lend themselves to the service of any artful intriguer, whose designs are to defraud the Government.

By an Act of Congress passed on the 3d of the Fourth month, 1843, the sum of *twenty thousand four hundred and seventy-seven dollars and fifty cents*, was appropriated for the removal of *two hundred and fifty Indians*, to the country west and south of the Missouri river. This appropriation was granted in consequence of repeated assurances made to the Indian Department, that this number was anxious to emigrate. The glittering prize thus hung up in the face of the noon-day sun, was so bright and alluring, that a goodly number of hungry candidates, was soon seen entering the lists, and struggling for the prize. But alas! for the conditions. Unless two hundred and fifty Indians could be procured to enrol themselves on the emigration engagement, and *actually embark* for the west, the

stakes could not be legally won. Here was the great difficulty. And yet one would suppose, that out of *four thousand eight hundred and eighty-five Indians*, belonging to the following tribes, to wit: the Senecas, Onondagas, Cayugas, Tuscaroras, Oneidas, St. Regis's, Stockbridges, Munsees, and Brothertowns, by raking up all the poor degraded individuals, and gathering together all the sincere emigrationists, such a small proportion of the whole might easily be procured: especially if these candidates for an agency, had told the truth, when they asserted that *large bodies of the Indians were anxious to remove*.

By these movements the Government had been induced to believe that there really was an emigration party, sufficiently large to meet the objects of the late appropriation, and to warrant the appointment of an Emigration Agent. Under this impression the Secretary of War, by a letter dated Sept. 12, 1845, addressed to Dr. Abraham Hogeboom, appointed him to that office. Instructing him however that no movement must be made, unless the full complement of emigrants should desire, *bona fide*, to remove to the west, and Hogeboom was also explicitly informed, that "the Government would not undertake the emigration of these Indians unless *two hundred and fifty* of them, then residing in the State of New York, exclusive of Canada Indians, should muster themselves, and actually go with the Agent." As if to leave no door open for misunderstanding, the Commissioner of Indian Affairs at Washington also addressed a letter to Hogeboom, dated Oct. 2d, in which it was expressly declared that "two hundred and fifty Indians is the smallest number that will be emigrated."

On the 27th of that month, Hogeboom wrote to the Department, giving it information that "two hundred and nine Indians had enrolled themselves, and that some of their chiefs had assured him, that at Buffalo, Cattaraugus, and Alleghany, there would be about twenty more. Thus the utmost number that the Doctor could then even dare to hope for, was two hundred and twenty-nine. If that letter was written in order to feel after the temper of the Department, and to ascertain how far it was

disposed to relax its determination, to send no less away, than two hundred and fifty, he was not left long in suspense, for by a letter dated Nov. 4th, the Secretary of War again reminded him that he was "selected as Emigrating Agent" to act *only in the event that two hundred and fifty would go.*" But on the 7th of that month, Hogeboom again writes to him, dating his letter from Buffalo, saying he had "ascertained that two hundred and sixty Indians had enrolled themselves, and had fixed on the 20th of that month as the time for starting." This sudden and unexpected movement was not agreeable to the Secretary, on account of the advanced state of the season; but hoping they might get out before the lakes and rivers should be impassable on account of the ice, he immediately ordered provisions, for their sustenance at their intended homes, to be procured and in readiness by the time of their arrival.

Notwithstanding all these assurances on the part of Hogeboom, when the time for testing their truth came, the whole scheme failed: a sufficient number of the Indians could not be persuaded to go. The emigration was therefore indefinitely postponed.

It will be seen by the foregoing statement, that on the 27th of the 10th month, Hogeboom wrote to the Department, that only 209 had enrolled themselves, and he then admitted that only twenty more could be hoped for in addition; of course there was no prospect of emigration that season. Indeed, the Doctor says in that letter, speaking of the Indians, "they do not think they will be able to obtain the number of 250 to emigrate this fall." Up to this time nothing had been done to induce the War Department *to advance any money to the Agent.* So that not only the emigration scheme had failed, but, so far as the Doctor had been moved by *pecuniary motives*, he had also failed. This was no doubt a trying circumstance, but the trial did not long continue, for only ten days after he had written to the Department, that the Indians did not think they could emigrate this fall; he wrote again to the Secretary of War, under date Nov. 7, 1845, saying "*I have ascertained that*

260 Indians have enrolled themselves for emigration, and have fixed the time for starting on the 20th inst." The following is an extract of a letter from the Department to Hogeboom, dated Nov. 14th, in answer to his of the 7th. It was no doubt such a letter as the Doctor much desired.

SIR—

I have received your letter of the 7th inst. informing the Department of the enrolment of 260 New York Indians, for emigration to their western home, and proceed, *now there appears to be no doubt of the movement taking place*, to give you some instructions, &c. \* \* \* A requisition for 10,000 dollars has this day been issued in your favor, with which you will be charged, and held accountable for, under the head of "Removal, &c. of New York Indians," per act 3d March, 1843.

Signed

W. MEDILL, Commissioner.

Thus the Doctor was put into possession of the sum of *ten thousand dollars*, and we hear no more about the two hundred and sixty Indians, nor of any more trouble about Indian emigration, during the remainder of that year.

The proceedings of Dr. Hogeboom, and other persons interested in removing the Senecas, necessarily produced great agitation, and a very unsettled state among those who had no view of emigrating. The chiefs, on the reservations of Alleghany and Cattaraugus, harrassed and perplexed by this vexatious state of things, at length determined to address the President on the occasion. This application procured the appointment of the council, which was held at Cattaraugus in the 6th month, 1846, of which we have before given a particular account. [See page 156 and sequel.]

In the spring of 1846, Dr. Hogeboom, hearing that the Government had called a council of the Senecas, for the express purpose of inquiring *officially*, whether there was an emigration party among them, and if there was one, what was its number,

made great exertions to push off his emigrants. Regardless of the positive instructions of the Government, and without its knowledge, he hastily collected as many of the Indians as he could bring under his influence, and with them embarked in a steamboat at Silver Creek, on Lake Erie, near the Cattaraugus Reservation. The circumstances and manner of this embarkation throws much light on the motives and conduct of this Emigrating Agent. The subject is graphically related in a speech of Israel Jemison, as made in the council of 1846, and addressed to the Commissioner of the United States. [See pages 159, 160.]

The painful, and indeed the awful results of this inhuman conduct of Dr. Hogeboom, will be seen by reference to the Memorial of the Seneca chiefs, to the President of the United States, invoking the aid of the Government, to bring back the wretched surviving remnant of their poor duped people. It is as follows.

*To his Excellency James K. Polk, President of the United States.*

The Memorial of the undersigned chiefs and warriors of the Seneca nation of Indians, residing in the State of New York, *Respectfully sheweth,*

That a party of the Seneca nation, consisting, as your memorialists have been informed, of sixty-two persons, together with a portion of the Cayugas, Onondagas and Oneidas, residing with us, and a party of the Tuskaroras, residing near Lawistown, in Niagara County, left the State of New York last spring, to settle in the country west of Missouri. That your memorialists have been credibly informed, by letters received from individuals among them, and by the statements of such as have returned, that great distress has, from their first arrival there, existed among them, and does still exist without mitigation, in consequence of the insalubrity of the climate,—that twenty persons, of the sixty-two Senecas, were already dead, some six weeks since, and about the same proportion of our



friends of the other tribes,—that many others were sick,—that three of the leading Seneca chiefs, one of the Onondagas, one of the Oneidas, and a leading man of the Tuskaroras were dead. That the remnant of the people, with very few exceptions, were exceedingly anxious to return, but were destitute of the means of doing so,—that many of them have sent earnest requests to us for assistance, to enable them to do so, but that only a few families amongst us are able to furnish efficient relief to their suffering friends. In view of all these facts, we would respectfully request the President, to furnish the necessary assistance to bring back the remnant of the party to their former homes, and to arrange the payment of the annuities belonging to them, so that in future they may receive them here. Although they went out from us against our earnest remonstrance and entreaty, and some of them mocking our expressions of concern for them, as we stood around the boat when they were going on board, still we shall rejoice to give them a home again amongst us, for they are our brethren, and their sufferings grieve us to the heart. Thirteen of the Senecas have already returned, and three others we have heard are on the way. This makes the condition of those unable to return, the more lonely and wretched.

We hope the President will not say it was their own fault that they went there: for even if they were to be blamed for doing so, they have already suffered a fearful punishment. But we think, if the President were acquainted with the circumstances, he would pity rather than blame them for going. Notice had been repeatedly given from the War Department, that unless a company of two hundred and fifty emigrants could be organised, none would be removed. Such a company having failed to be organised in the fall of 1845, we were told that the department had required the removing agent to refund the money he had received, for the purpose of removing them. In the spring of the present year, certain men were running from house to house among our people, saying that the agent still held the money in his hands, and would remove

all who wished to go, upon the opening of navigation. Directly after notice was received from government, that commissioners were appointed, and that a council would be held on a specified day, to ascertain if the requisite number wished to emigrate. When this became known, it was immediately reported that the removing agent, (Dr. Hogeboom,) had already contracted for their passage,—that the steamboat would take them in at Cattaraugus Creek, on a certain day, and that it was not necessary for them to wait for the action of the government. The agent soon after appeared, accompanied by two individuals from Buffalo, who, as we were afterwards credibly informed, instigated him to practise this fraud upon the government, and endeavoured, by representing the country west, as a paradise, to induce a large company to go on board their boat. Some of our friends, who had not disposed of their effects, were told not to mind their stuff, for the country to which they were going was so rich, and they would prosper there so rapidly, that they would never feel the loss of it; and one family were hurried away from their table, leaving every thing upon it just as it was when they arose from dinner. We have reason to believe that the whole company, except a few leaders, most of whom are now dead, were deluded by these flattering but false representations of those white men, and inasmuch as the removing agent appeared on the ground with the money in his hand, these simple people were made to discredit the orders received from the department, relative to the council of the 2d June. Justice would indeed seem to require, that these white men should repair the injury they have done to us, and not to us alone, but also to the government. But we have no power to compel them. Our only resource is to appeal to the government in behalf of our afflicted and desponding brethren, who are perishing under the accumulated pressure of disappointed expectations—grief for the dead, and the heavy hand of disease upon their own persons.

We trust our appeal will not be disregarded. We think it is the dictate of humanity, and we confidently believe that the

voice of the whole country would approve the course of the President, if he should grant the needed relief. We would beg leave further to request the President to make known to us through our friend Philip E. Thomas of Baltimore, who will present our memorial, the decision which he may make in regard to it. And your memorialists, as in duty bound, will ever pray, &c.

Cattaraugus Reservation,  
December 16, 1846.

James x Shongo,	Moses Stephenson,
N. T. Strong,	William x Jones,
Robert x Gordon,	Zechariah x L. Jamison,
Daniel Two Guns	Samuel x Wilson,
William x Johnson,	John x Bolden,
Benjamin Williams,	George Greenblanket,
John Kennedy, jr.	George Lindsay,
David x Snow,	John Hudson,
Joseph x Snow,	Jim x Junis,
Solomon W. Lane,	Little x John,
Henry Two Guns,	John x Luke,
John Taylor,	John x Green Blanket,
Governor x Blacksnake,	Israel x Jamison,
William x Patterson,	Moses x Pierce,
S. M. Patterson,	Abraham x John,
James x Stephenson,	Peter x White,
Jabez Stephenson,	Charles Greybeard.

In reply to this memorial the following answer was received from the Indian Bureau at Washington.

"WAR DEPARTMENT, *Office of Indians Affairs,* }  
Feb'y 23, 1847, }

Sir—The application for the removal of the Seneca Indians back to New York, who emigrated west from there last summer, has been duly considered. With every disposition to gratify the wishes of the Society of Friends, and of the New York

Indians, so far as it could properly be done, I have to inform you, that the Executive Department of the Government, has neither the authority, nor the means to justify a compliance with their desire. In this particular, Congress only could authorize the measure, and provide the requisite means for the expense it would involve.

Respectfully, your ob't serv't.

W. MEDILL.

To PHILIP E. THOMAS, Esq.

Baltimore, Md.

When the chiefs were made acquainted with the result of this application, they addressed the following communication to the Joint Committee of Friends—

CATTARAUGUS RESERVATION, *March 22d, 1847.*

*Respected Friend,*

PHILIP E. THOMAS—

Permit us to address you a few lines, and through you the committee of the Four Yearly Meetings of the Society of Friends, in reference to the condition of our suffering friends and brethren still remaining in the country west of the Mississippi. We suppose the committee already are thoroughly acquainted with the means used, to decoy those Indians off, in contravention of the instructions of the Government to the removing Agent. They were flattered with prospects of almost unbounded prosperity. The country was described as a paradise: and they were told, that their friends here, who might now refuse to accompany them, would soon be compelled to follow, and that it would be far better to go now and get well started in their improvement, &c. as soon as possible. But when they reached that country, instead of being a paradise, they found it rather the land of desolation, disease and death, and a large proportion of them are now lying beneath the turf. The survivors are discouraged and broken hearted, in addition to their sufferings from the disease, which has swept off their companions, and they are anxious to return. Application has

been made to the Government in their behalf, without obtaining relief; and from a recent letter from Dr. Wilson, we learn that a similar application to the Legislature of this State is likely to fail. We cannot make any appropriation from our National funds until the meeting of our national council, as a law has been passed which would forbid it. But if we delay till that meeting, it will expose our friends to the horrors of the sickly season once more, and doubtless many more of them will perish in consequence.

Under these circumstances, we see no other resource but to look again to those kind hearted friends, who have done so much already to relieve us in our distresses. Our obligations are already very great, and we cherish deep feelings of gratitude for past favors. We would not willingly burden your kindness now, were it not for the peculiarly difficult and perplexing condition of things just at the present time. But we feel that humanity towards our own people, demands of us to make this application in their behalf, and we would therefore earnestly and respectfully invoke the Society of Friends, for such assistance as you may feel disposed to minister to their necessities, and in their behalf, as well, as of ourselves, we will always cherish a lively remembrance of your kindness.

Wishing you the reward of the benevolent, in the great day, we subscribe ourselves your obliged and sincere friends,

In presence of }  
 ASHER WRIGHT. }

HENRY TWO GUNS,  
 WILLIAM KROUSE,  
 GEORGE x BUTTON,  
 JOHN x GREENBLANKET,  
 ABRAHAM x JOHN,  
 JAMES SPRING,  
 DANIEL TWO GUNS.

Notwithstanding these Indians were carried away without the knowledge or sanction of the Government, and consequently without the requisite preparation for their comfort and subsistence in the western country, yet the Commissioner of In-

dian Affairs, as soon as he was apprized of the movements of Dr. Hogeboom, anxious to afford them all the relief in his power, promptly ordered arrangements for their reception, at the place of their destination, as will be seen by the following extracts from documents in the War Department.

WAR DEPARTMENT, *Office Indian Affairs,* }  
June 10th, 1846. }

SIR—

Information has been recently received at this Office, that A. Hogeboom had started for St. Louis with a party of New York Indians, in number about two hundred. This act of starting with a less number than two hundred and fifty, in connection with the recent action of this Office, looking to a suspension of the emigration for a time, was wholly unauthorized, and of course unexpected; but as the party are without the reach of the Department, measures must be taken to subsist them. I have therefore to request that you will give directions to the Osage Sub-Agent, to invite proposals, and enter into contract for their subsistence for twelve months, as contemplated in my instructions to you of the 14th November, 1845, to which you are referred.

Respectfully, &c.

W. MEDILL.

T. W. HARVEY, Esq.

Sup't Indian Affairs, St. Louis, Mo

Notwithstanding this humane effort on the part of the Commissioner, to make provision for the reception and accommodation of these emigrants, it appears that from the hardships and exposures to which they were subjected, and from the unwholesome nature of the climate, one third of them perished within six months after their arrival at their intended residence.

When their distressed situation was made known to the Department, the Commissioner immediately addressed a letter to the Indian Agent, at St. Louis, calling his attention to their case—from which the following is extracted.

WAR DEPARTMENT, *Office Indian Affairs,* }  
*Oct. 29, 1846.* }

SIR—

I transmit herewith a copy of a letter just received from James Cussick, one of the party of the New York Indians, removed west last summer by Dr. Hogeboom, from which it appears, that there has been much sickness and mortality among those Indians, and that they are in a distressed situation.

\* \* \* \* \*

Mr. Cussick's letter, supported as it is by Capt. Burbanks, is calculated to excite much anxiety on account of these Indians. They were removed contrary to the instruction and expectations of the Department at the time; and their having gone west, was not known, until they were some distance on the route. There was consequently no opportunity for making the requisite preliminary arrangements for their comfort and welfare on their arrival west. After giving you the instructions of June 10, for their subsistence, much had to be left to the judgment and views of duty, under these circumstances, of yourself and the Osage Sub-Agent, under whose immediate supervision they came, in regard to what was further required to be done for them.

In my letter of the 30th ultimo. your attention was specially called to their situation, and no doubt is entertained that your answers to that communication, will show you have done, or caused to be done, all that could be, under the circumstances, for their relief. Should the amount now remitted not be sufficient to cover the expenses of what you have already done, or what it may be in your judgment further requisite to do for them, in addition to their subsistence for which there is a special appropriation, you will please report promptly accordingly, and the necessary funds will be furnished. Funds

will also be remitted on account of their subsistence, when this Office is informed that they are needed.

\* \* \* \* \*

Respectfully,

W. MEDILL.

THOS. H. HARVEY, Esq.

St. Louis, Mo.

The committees charged by the Yearly Meetings with this concern, have not felt themselves called upon, to interfere in the questions that have agitated the Senecas, respecting their political, social or religious affairs. For many years a portion of the nation, had been under the care and notice of Friends—schools had been established for the education of their children, agricultural implements, from time to time were furnished to them, and persons had been employed to instruct them in farming. It was to these objects that the attention of the committees had been especially directed.

When requested by the chiefs to assist in preventing the forcible expulsion of their people from the homes, descended to them from their forefathers, and for the security of which, the public faith had repeatedly been solemnly pledged, the committee believed it right to afford them all the aid in their power, and they did so; and when in the course of the other difficulties and troubles in which these Indians occasionally became involved, they solicited our advice, it was freely given. Such of them as desired to emigrate to the west, so far as the committees have been concerned, have been left at liberty to decide for themselves, and our interferences have extended no further, than to endeavor by all proper means, to prevent the compulsory removal of those who did not desire to emigrate.

The conflict in which we have been engaged has been an arduous one. It has involved much labor, expense of time, and personal exposure, but it is a consolation that there has been preserved to the Senecas a home, on part of their ancient domain, where, by moderate labor, they may always obtain,



not only the necessities, but comforts of life—that they have very generally become a sober industrious people, and that they, and especially their unoffending women and children have been saved from the miseries and dangers of exile to a land, not at all suited to their present state, and which experience has proved to be very destructive to their race. Much has been done to educate their children, and prepare them for the more advanced stages of civilization. Thus it appears some of the principal objects of their appointment have been attained. Under this consideration, we have indulged the hope that we, at no distant day, might be permitted to close the joint concern, and leave the Indians to pursue their own happiness in their own way. But hitherto, when we have brought the subject close home, and endeavored to weigh it in the true balance, the way has not yet appeared so clear, entirely to withdraw from the concern, as we could desire.

It is evident that the Indians of our country, are not able to stand their ground, before the more mature intellect, and consummate artifice of the Anglo-Saxon race. They have needed, and they yet need, faithful, able counsellors, to stand by them in the difficulties and dangers which surround them. Of this we have a chain of evidence extending from remote periods up to the present year. Without protection there is strong reason to believe the race will perish. Even the New York Indians, advanced as they are in the arts of civilized life, cannot yet stand alone. William Penn said of the Indians *in his day*, “he will deserve the name of a wise man, that outwits them in any treaty, about a thing they understand;” and yet it is true, in relation to the Indians *of our day*, that the white man is constantly outwitting them, in cases where, if they do not understand, it is not for want of experience;—in cases where, if they are not cautious, it is not because they have not suffered severely to make them so. There is something in their character so unsuspecting, so confiding, that even the most painful experience seems insufficient to overcome it,

But there are causes, now in active operation, that promise to work a great change in those people. The rising generation are obtaining the powerful aid of intellectual culture. Their women are being withdrawn from the drudgery of the field, and are occupying themselves in the proper duties of their sex,—the care of their families, and the education of their children. They are adopting a mode of living, more comfortable than a poor wigwam can afford, and more expensive, in respect to bed and board, than a buffalo skin and a dish of hominy; and their men will now be compelled to exercise their faculties, in providing the means of subsistence; all which can hardly fail to advance them in civilization, and prepare them to meet the exigencies and difficulties of life.

Before concluding this review of our labours, we think it right to acknowledge the uniform kindness we have received from the heads of the War Department, and other officers of the government. In our intercourse with them, we have been treated with marked attention and respect,—our suggestions have received all proper consideration, and our measures for the benefit of the Indians, a cordial support. We cannot recur to our intercourse with the Indian Bureau at Washington, without feelings of gratitude, nor close this narrative without an acknowledgment of our obligations to the head of that Department.



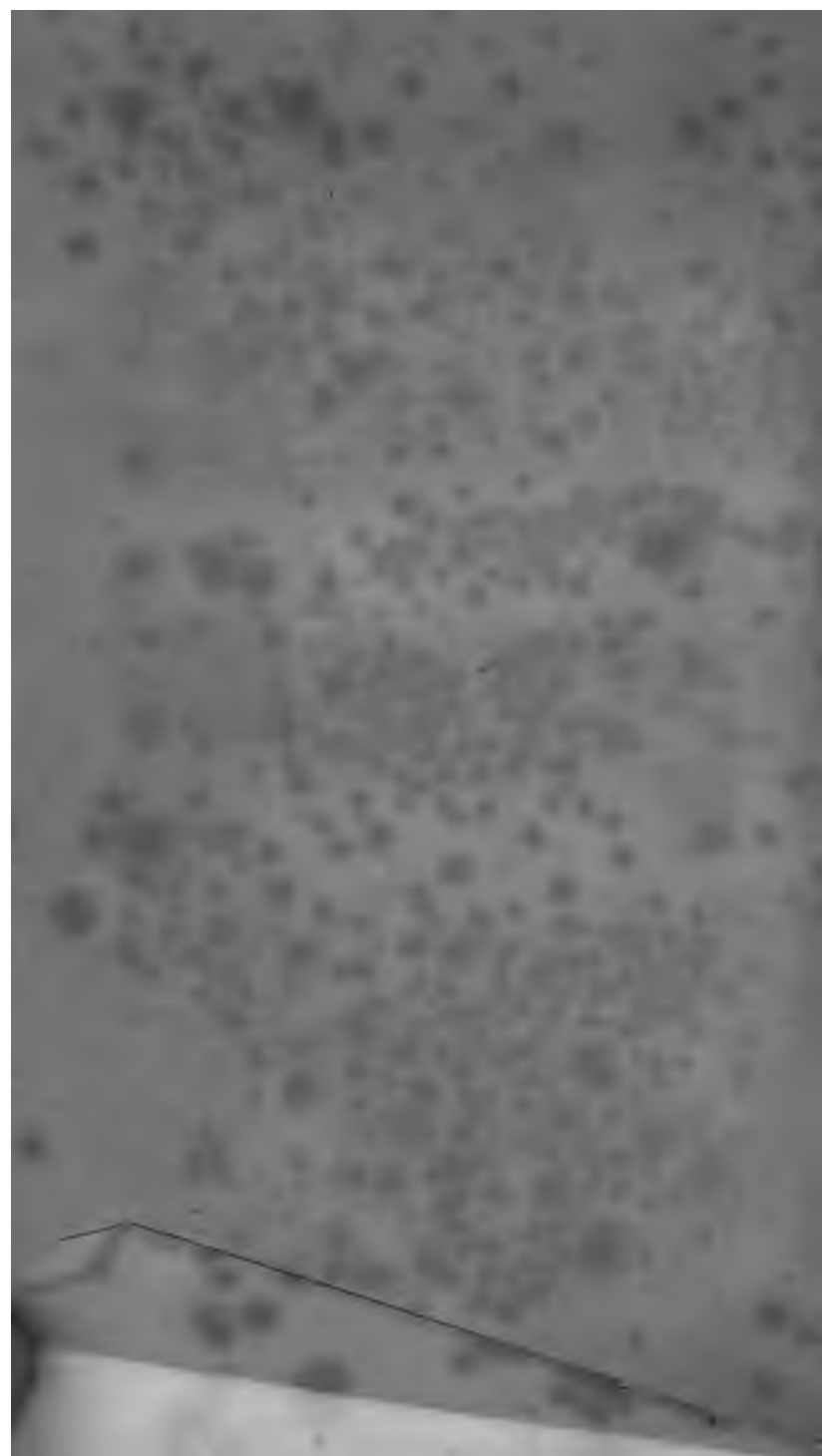
## ERRATA.

The reader is requested to correct the following typographical errors in the succeeding sheets :

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"	11	"	16	"	til	"	till
"	16	"	24	"	objects	"	object
"	21	"	24	"	reserved	"	reversed
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